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CURRENT TOPICS.

THE APPEAL list for the present sittings contains a total of 264 appeals, as against 256 at the commencement of the last sittings, and 187 a year ago. There is a considerable increase in the number of appeals from the Chancery Division, which a year ago were only 44, while they are now 103. The appeals from the Queen's Bench Division are 128, as compared with 119 a year ago.

THE lists of the Chancery Division shew an increase on the last sittings, but a decrease on the numbers a year ago. There are 156 matters before NORTH, J.; 149 before STIRLING, J.; 92 before KEKEWICH, J.; 140 before BYRNE, J.; and 81 before COZENS-HARDY, J., making a total of 618 causes and matters, as against 547 at the commencement of the last sittings, and 685 a year ago. There are 97 company matters before WRIGHT, J.

REFERRING TO the statement, which we quoted last week, that it is possible to effect an insurance at Lloyd's against an adverse judgment in the law courts, whether it be a court of first instance or on appeal, a correspondent has been good enough to send us the result of an inquiry as to a proposed insurance against the chance of an adverse judgment actually made at Lloyd's. It appears from the reply that it may be possible to obtain such an insurance "if the risk of adverse judgment is very small," but "all the facts of the case would have to be known." This is very different from the statement we quoted, and seems to amount to this: that the underwriters must be satisfied that there is a good prospect of success in the action before they will accept the risk. But who advises the underwriters as to the chances of success? And how can "all the facts of the case" be known before trial?

THE ARRANGEMENTS made by the judges of the Chancery Division for the trial of witness actions are as follows: Mr. Justice NORTH will take these actions for the fortnight begin-

ning on Tuesday, the 2nd of May, and will sit continuously (Monday, the 8th of May, excepted) until Saturday, the 13th of May; his motions and unopposed petitions being taken by Mr. Justice BYRNE. Mr. Justice STIRLING will take witness actions for the fortnight beginning on Tuesday, the 2nd of May, and sit continuously (Monday, the 8th of May, excepted) until Saturday, the 13th of May; his motions and unopposed petitions being taken by Mr. Justice KEKEWICH. Mr. Justice KEKEWICH will take witness actions for the fortnight beginning on Tuesday, the 18th of April, and sit continuously (Monday, the 24th of April, excepted) until Saturday, the 29th of April; his motions and unopposed petitions being taken by Mr. Justice STIRLING. Mr. Justice BYRNE will take witness actions for the fortnight beginning on Tuesday, the 18th of April, and sit continuously (Monday, the 24th of April, excepted) until Saturday, the 29th of April; his motions and unopposed petitions being taken by Mr. Justice NORTH.

THE FORTHCOMING Bill for dealing with secret commissions will have distinguished sponsors. It is to be introduced by Lord RUSSELL, and its principle is advocated in advance by Sir EDWARD FRY. Both these authorities discoursed on the subject at the dinner of the London Chamber of Commerce on Tuesday evening. Sir EDWARD FRY referred to the common objection that it is impossible to make people moral by Act of Parliament, but in the present case he was able to meet it with a very apt illustration. There can be no doubt that the conscience of the average elector, as well as of the average Parliamentary candidate, has been materially purified by modern statutes intended to put down political corruption. There is good reason to suppose that a similar result would follow upon a measure declaring the giving or taking of bribes for business purposes to be a criminal offence. The civil illegality of such practices is well established, but the business conscience just lags behind the standard which is set up for the purpose of civil actions. Public opinion, on the other hand, which has no bribe in prospect, is well up to the standard and is willing to insist that it shall be observed. It is just in this state of things that a statute can be effective. Legislation in advance of public opinion is mischievous and useless; but aided by public opinion it can bring lagging consciences up to the mark. In this way it is to be hoped that the proposed measure will purify the business world, and, to judge by the accounts Sir EDWARD FRY and Lord RUSSELL give of their correspondence, it will save honest men a vast amount of distress.

WE ARE GLAD to call attention to the communication, which we print elsewhere (and which is entitled to much authority), on the effect of the Judicial Trustee Act, 1896, in relation to solicitors. It has certainly been the impression that there existed at the courts a disinclination to appoint solicitors as judicial trustees, though this disinclination was opposed both to the wording of the rules and to the natural fitness of solicitors for the office. As we have on former occasions pointed out, rule 5 of the Judicial Trustee Rules expressly authorizes the appointment of "a solicitor to the trust or to the trustee or to any beneficiary," and it cannot be doubted that solicitors have the qualifications which will result in the most efficient discharge of the duties of the office. They can supply better than any other class the relation of personal confidence between trustee and beneficiary which is one of the advantages of the system of private trustees, and they can obtain most readily from the court that guidance in the administration of the trust which it is one of the objects of the new system to afford. The appointment of solicitor will naturally tend to diminish the feeling on the part of the beneficiaries that the family property has been thrown "into Chancery." It is satisfactory, therefore, to find the eligibility of solicitors urged so forcibly as is done by the writer of the communication referred to. With regard to the new system generally, we do not see that there is any reason for trying to force its adoption. We do not imagine that solicitors will show any desire to exclude it in cases to which it is properly applicable, and the fact that the system is available is likely to prevent, for some time at any

rate, the revival of the agitation for a public trustee. But the advantages of the system of private trustees are so great that as long as competent persons are to be found to undertake the office it is not likely to be abandoned. In the great majority of cases it combines safety to the trust funds with their administration in the way most suited to the convenience of the beneficiaries.

THE TRADE UNION case of *Charnock v. Court*, just decided by STIRLING, J., shews in its circumstances an interesting variation on *Lyons v. Wilkins* (47 W. R. 291), though the principle involved was just the same. Section 7 of the Conspiracy and Protection of Property Act, 1875, declares the illegality of picketing when carried on for the purpose of compelling masters to alter their business arrangements. Under sub-section (4) every person who, with a view to compel any other person to abstain from doing or to do any act which it is within the other's right to do or abstain from doing, watches or besets the house where such other person resides, or works, or carries on business, or happens to be, is liable to fine or imprisonment; but there is a proviso exempting attendance merely for the purpose of obtaining or communicating information. These words on the face of them do not cover the case of watching and besetting the place where workmen are with a view to bring compulsion to bear, not upon the workmen, but upon the master; but in *Lyons v. Wilkins* it was held that "such other person" must be read "any other person," and the scope of the enactment was correspondingly extended. In the present case there was a joiners' strike at Halifax, and the masters arranged to bring over workmen from Belfast. Some of the Belfast men landed at Fleetwood, and were there met by representatives of the Halifax trade union, who informed them of the strike, persuaded them not to proceed, and provided them with money to go elsewhere. The only way of bringing this within the section was by means of the words "where such other person happens to be," at the same time making "such other person" refer to the workmen, as regards whom no compulsion was used, and not the master whose business it was intended to control. The authority on this latter is, as just stated, to be found in *Lyons v. Wilkins*, and the phrase in question seems to apply to a port where the workman whom it is desired to persuade happens to land. The persuasion, supported as it was by the supply of money, plainly went beyond the attendance for the purpose of giving information which the section permits. Hence there was a breach of the provisions of the section and an injunction was granted against similar future acts. It is to be noticed, however, that the civil remedy is professedly founded on the violation of the provisions of a penal statute, and it may be doubted whether it was permissible to read those provisions with the variation of language introduced by the Court of Appeal. However, for the present that court has determined the construction of the section, and STIRLING, J., has done no more than apply that construction under novel circumstances.

THE ADULTERATION of milk is a very common offence, and a most pernicious one, seeing that the health of young children so much depends on the purity of this article of food. The offence is committed with great ease, and with a high degree of safety; and as by its successful practice water is sold for the price of milk the profits of such adulteration are very large, and make it worth while for the dishonest tradesman to run the risk of conviction and fine. It has become generally felt of late throughout the country that the penalties inflicted by justices for milk adulteration are too light to stop the evil. The maximum penalty for this offence under the Food and Drugs Acts is £20, and there is no power of imprisonment however often the offender may be convicted. The maximum penalty is, however, not very often inflicted, and in some parts of the country the fines are exceedingly small, and seem to have little weight with the dealers in proportion to the profits that can be made. Lately in Northamptonshire the Public Health Committee of the county council ordered a return to be prepared by the Inspectors of Food and Drugs of recent con-

victions for milk adulteration, and caused the return to be laid before the magistrates at the quarter sessions last week for their consideration. This document shews in a remarkable way the profits that can be made by this offence, and the small proportion the fines usually imposed bear to those profits. In one case it was calculated that the guilty person sold 120 gallons of "milk" a day, 26 per cent. (or about thirty gallons) of which was added water. This added water, being sold at one shilling a gallon, brought the seller in £1 10s. a day, or no less than £536 a year! The penalty on conviction, however, was only £3 6s. including costs, and heavier penalties seem to be seldom inflicted in the county. No doubt Northamptonshire is in this respect no worse than other counties, and if similar returns were ordered elsewhere magistrates would probably have their eyes opened. As long as the offence is treated in so lenient a fashion, so long will it continue to be common everywhere. It is doubtful, however, whether the law is really adequate to put down this adulteration. Even the maximum penalty is a small punishment when such large profits can be made and when detection is so difficult. It is submitted that magistrates should have power to inflict heavier penalties, and in their discretion even imprisonment for repeated offences.

THE DECISION of the Court of Appeal this week in *Ex parte Tomlinson* is important both for the construction placed upon section 11 of the Patents Act, 1883, and for the view taken of the authority of decisions given by the law officers under section 95. Section 11, as amended by section 4 of the Act of 1888, regulates the hearing of opposition to applications for the grant of a patent. Sub-section 1 provides that "any person may at any time within two months from the date of the advertisement of the acceptance of a complete specification give notice at the patent office of opposition to the grant of the patent" on some one of certain specified grounds, "but on no other ground." The specified grounds are: (1) That the applicant has obtained the invention from the opposer or from a person of whom he is the legal representative; (2) that the invention has been patented in this country on an application of prior date; and (3) that the complete specification varies from the provisional specification, and that the invention described in the complete specification forms the subject of a pending application by the opponent. It will be noticed that the first and last of these grounds imply that the opposer has a special interest in getting the application refused. He is himself interested in the invention proposed to be patented, or in some rival invention. But the second does not necessarily involve any such special interest. Reading the section literally, any person may oppose simply on the ground that a prior patent has been granted, and hence it has been argued that any member of the public is at liberty to oppose, although he has no interest either in the former or the new patent. The contention, however, has been uniformly rejected by the law officers when raised in cases referred to them under the Act—by Lord HERSCHELL, as Solicitor-General, in *Glossop's case* (Griff. Pat. Cas. 285), by Sir EDWARD CLARKE, as Solicitor-General, in *Heath & Frost's case* (Griff. Pat. Cas. 288), and by Sir RICHARD WEBSTER, as Attorney-General, in *Hookham's case* (Griff. Add. Cas. 32); though a person who has manufactured under a prior patent which has expired has been allowed to oppose (*Glossop's case*), and a person properly opposing in respect of a prior patent in which he is interested has been allowed to refer also to another prior patent in which he is not interested (*Stewart's case* (13 Pat. Rep. 627), before Sir RICHARD WEBSTER, A.G.). It has been considered, however, that to let in the public generally would harass inventors too much, and the restricted construction placed on section 11 (1) is supported by the direction of sub-section 3, that the law officer is only to hear an opponent who, in his opinion, is entitled to be heard in opposition to the grant. The correctness of the construction has now come in question in *Ex parte Tomlinson*, where a person who had no interest desired to oppose an application for a patent on the ground of a prior patent. Under section 95 of the Act of 1883 the Comptroller may, in any case of doubt or difficulty arising in the administration of the Act, apply to either of the law officers for directions. Application was accordingly made, and the law officer, acting upon the above decisions, directed that the opponent was

not to be heard. With this direction the Court of Appeal have declined to interfere, as well on the ground that the construction given to section 11 is right, as that the law officer is made, by section 95 the final authority in matters of procedure. It must be taken, therefore, that the right of opposing patents is confined to persons specially interested.

IT IS WELL established by a long series of cases that by the common law of England an innkeeper is bound to receive as a guest any traveller, provided he offers himself in proper condition to be received into the inn, and is ready to pay for his accommodation, and there is room to accommodate him. Of late a few out of the thousands of women who ride bicycles have appeared in public in what is known as "rational" dress. Some persons have a strong objection to this costume, and therefore some innkeepers have refused to admit women so dressed. This has been a burning grievance in certain quarters for some time, and a club devoted to the interests of cyclists has recently undertaken to obtain a legal decision as to the legality of such refusal on the part of an innkeeper. With this object the landlady of an inn in Surrey was indicted last week at the quarter sessions at Kingston for unlawfully refusing to supply victuals to a traveller. The prosecutrix, attired in the rational (or manly) costume, had called at the inn for luncheon, and was certainly a *bona fide* traveller. The innkeeper refused to allow her to enter the coffee room (or ordinary luncheon room) of the inn, but offered to supply her with food in the bar parlour. This offer was refused on the ground that the bar parlour was not a reasonably fit place for a lady to have a meal in. Those who desire this question to be settled seem to have been somewhat unfortunate in their selection of this case as a test case, for there was no absolute refusal of accommodation; there was merely a refusal to admit the prosecutrix into a part of the inn used by the best class of the inn's customers. Therefore, as the jury found as a fact that the bar parlour was a decent place for the prosecutrix to have luncheon in, the case ended in favour of the defendant without the question as to the propriety of the dress being answered. Hence the case was a dead failure as a test case, and the main question is still unanswered. It is true that, in summing up, the chairman is reported to have said that innkeepers cannot refuse to supply food because of the particular shape of a traveller's dress. Even if correctly reported, this is merely a *dictum*, and it is submitted that the words as they stand go much too far. The law appears to be that an innkeeper is justified in refusing to admit a traveller whose condition is likely to cause annoyance to other reasonably-minded persons who may be guests at the inn. It seems clear that a person may be entirely clothed and still be dressed in such a manner as to cause even reasonably-minded persons annoyance, and the presence of such guests in an inn may cause other persons to avoid the inn. Therefore, it is submitted that in the recent prosecution the jury should have been asked, in case they found that the bar parlour was not a proper place for the lady to take a meal in, to say whether or not the dress in which the prosecutrix appeared was likely to cause annoyance to other guests in the inn. There does not seem to be any question of law involved; it seems to be essentially a question of fact for a jury. Perhaps the question may be raised again in a case in which the refusal has been unconditional; if so, it is to be hoped that the club referred to will start civil and not criminal proceedings. The question is essentially one for a civil court, and to try it on indictment is unfair to the defendant, as he cannot recover his costs even though he gain a verdict in the criminal court.

IN THE CASE of *Spitzel v. Chinese Corporation*, which was recently decided by STIRLING, J., a question arose as to whether an allottee of shares, who was to become entitled to the shares only upon the performance of a condition, was a member of the company and entitled as such to vote at a general meeting. Under section 23 of the Companies Act, 1862, a "person who has agreed to become a member of a company under this Act, and whose name is entered on the register of members," is to be deemed to be a member of the company. In the present case the plaintiff was the vendor to the company, and was to be paid

by the issue to him of fully-paid shares. An allotment of the shares was to be made, but, the property sold being situate in China, and the directors requiring to be advised as to its due transfer, the certificates were to be "deposited in escrow ready for issue or otherwise" in a specified bank. An allotment was made accordingly, and the plaintiff's name was entered as the holder of the shares in the company's register, but to the entry there was added a memorandum expressing that the allotment was conditional upon the shares being finally issued. The directors were not satisfied as to the plaintiff's property. They decided not to proceed with the transaction, and a general meeting was summoned with a view to winding up. At this meeting the plaintiff by his attorney claimed to vote, but the chairman rejected his votes, and a resolution to wind up was passed. The exact time at which a person becomes a member of a company seems to be capable of as much doubt as the time when shares are to be deemed to be issued. It is settled that an allotment does not constitute an issue of shares. It is further necessary, it would seem, that the allottee should become complete master of the shares: see *per Cotton, L.J.*, in *Clarke's case* (8 Ch. D., p. 641). Similarly, an allotment does not constitute the allottee a member of the company, though in all ordinary cases an allotment followed by registration would have this effect. But the material point is the absolute agreement by the allottee to become a member, and since an agreement must have two parties, there must also be an absolute agreement by the company to accept the allottee as a member. In the present case the agreement was expressly made subject to a condition precedent, and hence till that condition was fulfilled the agreement was not complete and the plaintiff was not a member. So accordingly *Stirling, J.*, held, and the decision obviously accorded with the justice of the case. If the directors had improperly refused to go on with the transaction the plaintiff had an independent remedy, which, it may be presumed, would have enabled him to assert his rights. If, on the other hand, they were justified in what they did, it was improper for him to be allowed to control the company by his voting power.

THE PRACTICE ON APPEALS FROM COUNTY COURTS.

THE JUDGE'S NOTE.

It is obviously of great practical importance that a clearly defined rule of practice should exist with regard to appeals from the County Courts under section 120 of the County Courts Act, 1888. It is to be regretted, therefore, that the provisions of that section which apply to the taking of a note by the judge have been the subject of a large number of decisions, some of which are by no means easy to reconcile, and in none of which is the meaning and effect of those provisions as a whole reviewed and authoritatively decided.

Section 120 provides that ". . . At the trial or hearing of any action or matter in which there is a right of appeal the judge, at the request of either party, shall make a note of any question of law raised at such trial or hearing, and of the facts in evidence in relation thereto, and of his decision thereon, and of his decision of the action or matter."

The above requirements relating to a note by the judge must be considered with regard to their effect, first, upon the competency of an appeal; and secondly, upon the evidence adducible in support of it if the appeal lies. Of these two considerations the first is obviously the more important, because if the competency of the appeal is affected the objection is fatal, whereas a defect in evidence may, as will appear later, be curable.

(1) As to competency of the appeal.—The main principle deducible from the cases which govern this point is, that the only condition precedent to an appeal is that the point of law should in fact have been raised at the trial. That the point of law must in fact have been taken at the trial was finally laid down in plain terms by the House of Lords in *Smith v. Baker* (1891, A. C. 325), and need not be enlarged upon. But that it constitutes the sole condition precedent to an appeal may possibly be considered as open to some doubt, and needs to be established by a short review of the cases. It is laid down in some of the practice-books, and very generally assumed,

that it is also a condition precedent to an appeal that a request should have been made to the judge to take a note, and the authority cited in support of that proposition is *Cook v. Gordon* (1892, 61 L. J. Q. B. 445), a decision of the Divisional Court (HAWKINS and WILLS, JJ.). When, however, that case is carefully considered, it appears very doubtful whether it is really an authority for any such proposition. In *Cook v. Gordon* there was no judge's note at all before the court; no application had been made for one, and no explanation was given of its absence. In these circumstances the court, after having had cited to them *McGrah v. Cartwright* (1889, 23 Q. B. D. 3), decided that in the absence of the notes the appeal could not be heard. This was all that *McGrah v. Cartwright* had decided. In both cases the state of facts was consistent with there being a judge's note available, and it is clear that, where such is the case, the court will not hear the appeal unless the absence of the note is satisfactorily explained. It is true that the judgment of WILLS, J., in *Cook v. Gordon* does go far to justify the erroneous proposition contended for, but it is submitted that that judgment cannot be supported because it is in direct conflict with the decision of the Court of Appeal in *Seymour v. Coulson* (1879, 5 Q. B. D. 359), in which case it was held, upon similar words in section 6 of the County Courts Act of 1875, that a request was not a condition precedent to an appeal. That decision was followed in the late case of *Wohlgemuth v. Coste* (1899, 1 Q. B. 501) — LAWRENCE and CHANNELL, JJ., an appeal under section 120 of the present Act. There are, it is true, some cases which appear to conflict with *Seymour v. Coulson*, and one of them, *Morgan v. Rees* (1880, 6 Q. B. D. 508), was decided in the Court of Appeal. But all those cases fall into the same category. They are cases in which applications for a rule in the nature of a *mandamus* to compel county court judges to supply a copy of their notes have been refused on the ground that no request had been made to them in accordance with section 120. The ground, however, of the decisions in both those cases was that the judge was not bound to take a note at all unless specially requested to do so in respect of a definite point of law, and therefore he could not be ordered to supply a copy of any notes he might have made voluntarily. *Reg. v. City of London Court Judge* (1894, 70 L. T. 595) was a decision to the same effect on very similar facts. But in *Morgan v. Rees* all the judges intimated that the plaintiff was not deprived of his right of appeal, and that it was open to the Divisional Court to allow him to adduce other evidence as to what points of law were in fact raised in the county court, and in *Morgan v. Davies* (1878, 39 L. T. 60), under very similar circumstances, the Divisional Court actually heard the appeal on other materials. There is ample authority, then, for the proposition that the sole condition precedent to an appeal is that the point of law should in fact have been raised.

It becomes, therefore, a very important consideration how far the judge's note is conclusive as to whether the point of law was in fact raised; and whether, and if so under what circumstances, other materials may be resorted to in order to determine that question. This, however, must not be confused with the question of what evidence is admissible in support of the appeal, if it is in fact competent, a question which must be kept distinct and will be considered separately.

The cases shew that the following materials may be resorted to in the following order to shew that the point of law was in fact raised.

(a) If there be a certified judge's note taken in accordance with section 120, then that note is final as to the point or points of law raised and decided. In such a case it cannot be shewn by any other evidence, such as shorthand notes of the judgment, or otherwise, that some other point was the point decided. *Huddleston v. Furness Railway Co.* (1898, 43 SOLICITORS' JOURNAL 295 (C. A.)), though perhaps if the note is ambiguous the court may look at such other materials, per ROMEN, L.J. (*ibid.*).

(b) If there is a note before the court taken by the judge voluntarily, not by request, and such note sufficiently raises the point of law, the appeal will lie. Such was the case in *Seymour v. Coulson* (6 Q. B. D. 359). But in *Rhodes v. Liverpool Commercial Investment Co.* (1878, 4 C. P. D. 425) the appeal was held not to lie on such voluntary notes because the

note merely stated the evidence on which the judge had come to a conclusion *in fact*, and the court would not allow the introduction of extraneous matter to shew that a point of law was decided. It was moreover very doubtful whether the point of law was ever taken at all before the county court judge.

(c) If there is no judge's note before the court, the appeal will not lie unless the appellant can satisfactorily explain the absence of the note. In the absence of a note there are no materials from which the court can tell whether the point of law was raised or not, and the presumption is against it, and the court will not look to other materials unless the absence of a note is properly accounted for: see particularly the judgment of HAWKINS, J., in *Lamb v. Teal* (1889, 22 Q. B. D. 675), and *per CHANNELL, J.*, in *Wohlgemuth v. Coste* (*supra*), at p. 505. It is, therefore, the duty of the appellant to explain the absence of a note in order that he may be allowed to shew from other materials that the point was *in fact* raised.

What, therefore, amounts to a satisfactory explanation is the next consideration. In the first place the appellant must get a certificate from the county court judge that there is no note: *Brown v. Book* (1892, 8 T. L. R. 303). Then it is conceived different results will follow according to the form of that certificate. If the judge certifies that he took no note *because no point of law was in fact raised*, this will probably be conclusive against the appeal, unless the appellant can shew that it was impossible to raise the point at the trial, which would not be easy: *Reg. v. City of London Court Judge* (1894, 61 L. J. Q. B. 445), and *Clifford v. Thames Ironworks Co.* (1898, 1 Q. B. 314). If the judge certifies that there is no note because, although the point of law was raised, it was raised too late, it will be open to the appellant to argue on the facts that the point was taken in time: see *Pierpoint v. Cartwright* (1879, 5 C. P. D. 139), where it was held too late, and *Shaw v. Lutman* (1897, 42 SOLICITORS' JOURNAL 34), where it was held in time, and the recent case of *Wohlgemuth v. Coste* (*above cited*). If the judge certifies that there is no note *because he was not requested to take one*, or if he simply certifies that no note was taken, then the court may, in the exercise of its discretion, allow the appellant to shew *al iude* by affidavit, or from shorthand notes, or otherwise, that the point was *in fact* raised.

(2) As to evidence adducible on appeal.—If it is once decided on the foregoing principles that the appeal will lie, the question then arises, What evidence may be adduced in support of it, and how far is such evidence limited by the judge's note? But the existence of a judge's note is of much less importance as regards evidence than with regard to the point of law, because the court has a discretion under ord. 59, r. 8, of the R. S. C. in the absence of a note to admit any other evidence given in the court below, whether oral or otherwise: see *The Crescent* (1893, 41 W. R. 533), in which case an order was made for the examination of witnesses in the Divisional Court. The court, however, will be guided by certain principles in exercising its discretion, which may be summarized as follows:

(a) If there is a full judge's note, whether taken by request or voluntarily, of the evidence on the point of law, the court will not go outside it.

(b) If such note is defective in material points the court has probably power under ord. 59, r. 8, to allow it to be supplemented on those points by other evidence: *Morgan v. Rees* and *Reg. v. City of London Court Judge* (*above cited*). But the court will be slow to allow this if the appellant failed to request the judge to make a note in accordance with section 120, and in that case the appeal may fail: *Wohlgemuth v. Coste* (*above cited*). In *Re Sprange* (1898, 77 L. T. 808), a bankruptcy appeal, the court allowed the judge's note to be so supplemented, holding that it had power to do so under ord. 58, r. 11, which provides that upon any appeal involving a question of fact the evidence may be brought before the court by other materials. But this decision cannot apply to ordinary county court appeals which only lie on a question of law.

(c) If there is no note at all in existence, or if for any reason the note cannot be obtained, of which the court must be satisfied, it has a discretionary power to admit any evidence by virtue of ord. 59, r. 8, though it will probably hesitate to do so where the absence of a note is owing to the omission of the appellant to ask the judge to make one.

It is clear on the above review of the cases that the practice is by no means clear or simple, a result which it is suggested has been brought about by not adhering more strictly to the plain requirements of section 120.

SOLICITORS AS JUDICIAL TRUSTEES.

[COMMUNICATED.]

RECENT criticisms on the Judicial Trustee Act and Rules which have appeared in the SOLICITORS' JOURNAL and other legal periodicals are written with such evident bias against the Act that it becomes a duty to solicitors to present the Act for their consideration in its true light of a benefit to the public and to the solicitors' branch of the legal profession. The objections to the Act and rules appear to be two-fold, and their fallacy can be demonstrated in a few words. The first objection is "that the rules are novel in character and will impose upon the officials who will have to work them novel and unaccustomed duties"; that "the object of the rules appears to be to get rid of everything which has hitherto been followed, and to make the practice as unlike as possible to existing methods"; that "the attempt to combine with the existing procedure of the court business which is to be conducted on lines entirely distinct and different, imposing on the officials entrusted with the working of it duties at once onerous and unfamiliar, will end in failure"; and again: "There should be no departure from the ordinary rules." The answer to all this is, that the critics either consciously or unconsciously lose sight of the fact that the *very object* of the authorities was to make the rules under the Judicial Trustee Act as simple as possible, having in view the principal object aimed at, which is the protection of the trust fund, whereas the Rules of Court are designed for the regulation of litigation, for which purpose, of course, the utmost rigidity is required, or, to use an aphorism, the object of the former is to *prevent litigation*, of the latter, to regulate it. Also, it is ridiculous to suppose that the minds of the Chancery judges and masters are of such an unelastic character that they cannot easily adapt *any* rules to a subject-matter which they are so well acquainted with as the administration of trusts. To sustain their one-sided attack on the rules, the critics are driven to put forward such puerility as to suggest that a Chancery master should not exercise the jurisdiction given to him by rules 27 and 33 of the Judicial Trustee Rules, merely because, under a Rule of the Supreme Court, the jurisdiction to appoint an ordinary trustee happens, for some inscrutable reason, to be given to the Chancery judges in person only. The other objection appears to be an impression that there is a determination on the part of the Chancery Division not to appoint solicitors as judicial trustees, and one correspondent goes so far as to say that "there seems to be no doubt that the masters in the Chancery Division have, *one and all*, made up their minds, if not to refuse, certainly to place every obstacle in the way of, the appointment of solicitors as judicial trustees." This impression is totally unfounded. Rule 5 (1) specially allows the appointment of a solicitor. Many appointments of solicitors have been made, and one, at least, of the masters has expressed himself in favour of the eligibility of solicitors for the post.

The state of the law and practice as regards trusts, independently of the Judicial Trustee Act, is most unsatisfactory. The *Law Quarterly Review*, the leading organ of scientific legal thought, says, in dissertating on the subject, "In truth the Judicial Trustee Act, 1896, is a very notable departure in the history of trusts, a departure full of significance, and likely to revolutionize our whole trust system, and not too soon. The present system has really become intolerable. It casts upon trustees an immense amount of work and responsibility; it allows the rigour of the law to be enforced against them at the point of a writ, while in ninety-nine cases out of a hundred it affords them not a farthing of remuneration and creates no spark of gratitude in the breasts of *cestuis que trust*. The new Act gives security to beneficiaries, and contemplates a reasonable remuneration being paid to the trustees." The report of the Select Committee of the House of Commons in 1895 on the administration of trusts finds that "there is a real and increasing difficulty in obtaining competent persons to under-

take the office of trustee, and that the frequency of instances in which beneficiaries suffer from the defalcations of dishonest trustees, or the negligence of careless and incompetent trustees, is a very serious matter." The diffidence felt by intending settlers and testators and by beneficiaries in asking relatives and friends to confer what, under the gratuitous system, amounts to a very great favour is increasing. A trust, after all, is a mere piece of business machinery for carrying out a certain purpose, and should be conducted, like all other business matters, strictly and systematically—in the same business-like manner as, for instance, a banker treats his account with his customer. The great blot on the system of gratuitous trusts is, that in the great majority of instances there is an entire absence of method in their administration. The invitation to become a trustee comes in the garb of it being "a mere matter of form." No steps are taken to work the trust in a business-like way, thus giving the trustee regular opportunities of becoming acquainted with what is being done in the trust, and often, after his appointment, he does not hear anything more of the trust until he finds himself involved in some disagreeable family quarrel which most likely ends in an estrangement between him and his beneficiaries, or until he discovers that he is liable for some breach of trust by a co-trustee, resulting in financial ruin to himself and his family. Losses of trust funds through the misconduct of trustees are of everyday occurrence. There is scarcely a person who, amongst his circle of acquaintances, does not know some victim to this class of peculation. Cases of difficulty and hardship caused by the frauds of trustees are scattered broadcast over the Law Reports, principally arising from the mischief of the trust deeds and securities getting into the control of a sole trustee. Often, no doubt, large and important trusts are managed in a business-like way by the leading solicitors, but the majority of trusts are allowed to take care of themselves in the happy-go-lucky way described. Things seldom, if ever, go wrong with these well-managed trusts, thus proving that the evils described are nearly entirely attributable to want of system, and to that only.

Careful reflection on the subject by solicitors must convince them that the only solution of the difficulty, in the interests of their clients and of themselves, is heartily to embrace the advantages afforded by the Judicial Trustee Act. Solicitors are, very unfairly, a much maligned body, but, until the millennium is reached we cannot dispense with their services any more than we can with our army and navy; and, moreover, an able and honourable solicitor is one of the best friends a man can have. The character of legal work *must* and *will* change, but there will always be plenty of work for solicitors to do. The public shyness towards solicitors is principally attributable to the unsatisfactory basis of their charges, which only allows them to make charges for certain stereotyped work, much of which is useless and mere waste of valuable human time and labour, and does not allow them to make adequate charges for work which is, scientifically speaking, necessary, and which really requires knowledge, experience, and skill on their part, and which is really of benefit to their clients. The consequence is that, in order to obtain anything like the same remuneration as his fellow professional men in other learned professions the solicitor is compelled to expand to their utmost legalized volume his charges for the, scientifically speaking, useless work in order to effect the not unnatural object of obtaining something like a fair rate of remuneration as compared with other learned professions for that part of the work which is of real utility to the client.

Now, the Judicial Trustee Act presents an opportunity, ready at hand, for solicitors to earn remuneration for work really useful to the community. Why should not solicitors, as a body, determine to make use of the facilities given by the Judicial Trustee Act, and relieve their fellow-countrymen, who are groaning under the grievous burthen of gratuitous trusteeship, by themselves undertaking this burthen and becoming judicial trustees in their place, which they would do with the cordial approval of the vast majority of gratuitous trustees and of the community in general? Considering his knowledge and experience of the subject and his administrative facilities for working a trust, a high-class solicitor would be an ideal judicial trustee. In these days, when solicitors' sources of remuneration

are cut down by Land Transfer Acts and other similar causes, they would, by adopting this course, acquire a new and compensatory source of remuneration, and, at the same time, have the consciousness that they were not only doing absolutely necessary and useful work for the community, but also, at the same time, conferring great benefits on their fellow countrymen. The larger the number of judicial trusts a solicitor could hold, the less would be the ratio of the expense of working them and the larger the profit; and, as a banker makes his profits not on large accounts alone, but also on the aggregate of many small ones, so would the solicitor judicial trustee as regards trusts, and he would thereby acquire a new, steady, and constantly increasing source of income.

Further, the judicial trustee system has also the merit of not being an untried one, for a similar system—that of judicial factors—has been in existence in Scotland for nearly half-a-century and works admirably. The Select Committee of the House of Commons, in their report, state, "The capital value of the property administered under the system in Scotland is about eight millions sterling, which, supposing that the wealth of England were taken as ten times that of Scotland, would correspond to a sum of eighty millions in the larger country. During the time this system has been in operation no single trust estate has lost anything." It is impossible to see any distinction between the conditions and requirements of the two countries as regards the matter of trusts, and therefore why the system should not be as great a success in England as it is in Scotland. Further, there is no doubt that the frequent losses of trust funds by the defalcations of unworthy members of a most honourable profession do considerable injury to the profession as a body. Dangers of this character would be removed by the system of judicial trustees, to the great advantage of the profession. Solicitors, like all members of the body politic, must yield to the public welfare and submit to inevitable changes in the character of their work, but, following natural principles, that work only changes in character and not in volume. In the past solicitors have made the mistake of running too much in old accustomed grooves, and in not sufficiently adapting themselves to the inexorable law of change by appropriating new and substituted sources of remuneration which such change creates, thereby allowing their appropriation by those by no means so well qualified to do the work as themselves, and to whom it does not legitimately belong.

The increasing demand for a public trustee, which has led to the successful establishment of such an official in Calcutta, New Zealand, and elsewhere, has been met in England and Wales by the establishment of judicial trustees, and if solicitors, as a body, avail themselves of its advantages, the desire and the necessity for a public trustee will cease. The genius of the English people abhors officialism, and prefers to manage its own affairs, and to allow each profession to manage theirs. The spectre of the public trustee will be allayed if the solicitors of England and Wales avail themselves of the advantages of the system of judicial trustees. The handwriting is already on the wall. Already there are signs of the leaning of the public towards a Government channel in the matter of the appointment of judicial trustees. The prevention of the institution of a Government office of public trustee rests with the solicitors. Now is their golden opportunity. Let them seize it without delay.

"Civis" writes to the *Times* as follows: "You have on previous occasions rendered service by calling attention to the imposition of vexatious stamp duties by the Inland Revenue authorities, and I venture to call your attention to a circular just recently issued by the board. It refers to a previous circular issued in June, 1897, and is to the effect that all bonds [? debentures] repayable at a premium ought to have been stamped at a rate including such premium instead of only the face or nominal value of the bond. Now, if the authorities had understood their own Act, or had construed it as meaning what they now state that it means, the companies issuing the bonds would have had to pay the full duty, whereas through the oversight or ignorance of the authorities the additional stamp duty has now to be paid by the individual holders of the bonds affected. I submit, sir, whether it is not most unfair thus to legislate backwards, especially when the blunder lies at the Inland Revenue's own door. I have no hesitation in saying that there will probably be scores of small investors who, in the course of a year or two, knowing nothing of the Inland Revenue's circular, and wishing to sell their bonds, will be startled to find they are not a 'good delivery' because they are insufficiently stamped, and that they are landed for extra stamp duty *plus* a penalty."

REVIEWS.

AUDITING.

AUDITING: A PRACTICAL MANUAL FOR AUDITORS. By LAWRENCE R. DICKSEE, F.C.A. THIRD EDITION (Revised and Enlarged). Gee & Co.

A writer on auditing sets before himself a task of no little difficulty. The enormous increase of companies of recent years has greatly enlarged the work for which the assistance of professional auditors is required, and has brought into prominence various legal problems connected with the duty and practice of the profession. In particular, the courts have had to deal with the question of the standard of duty which an auditor must satisfy, and with the question of the line to be drawn between capital and profits. The auditor, said LINDLEY, L.J., in *Re London and General Bank (Limited)* (44 W. R. 80), in a passage quoted by Mr. Dicksee, "must not certify what he does not believe to be true, and he must take reasonable care and skill before he believes that what he certifies is true." Assuming that he is honest, the result thus depends on what is "reasonable care and skill." It is admitted that he must not restrict himself to the books of the company; he must go further and ascertain that the books correspond with the facts. Herein, indeed, lies the labour of the accountant's work, and according as he performs it his certificate is trustworthy. This is the line which Mr. Dicksee adopts. "The fact," he says, "that a statement appears in the books is *prima facie* evidence only, and must be verified, not only by internal cross-examination, but also by reliable and independent evidence." The question of the line to be drawn between capital and profits is dealt with by Mr. Dicksee in the chapter on "What are Profits?" According to recent decisions such as *Lee v. Neuchatel Asphalte Co. (Limited)* (41 Ch. D. 1) and *Verner v. Commercial Trust (Limited)* (1894, 2 Ch. 239) it seems clear that where there has been a loss of capital the loss need not be made good before a dividend is declared. In other words, a dividend can be declared out of current profits appearing in the revenue account notwithstanding that a loss is shewn on the balance-sheet. But auditors are very chary about acting upon this principle; and their reluctance is endorsed by Mr. Dicksee, who intimates that before allowing dividends to be declared under such circumstances they ought to be fortified by the opinion of some leading counsel, if not by the directions of the court. Upon the above and other matters Mr. Dicksee will be found to be a sound and judicious guide, and he gives a great quantity of detailed information as to auditing which, it may be anticipated, will perpetuate the success of his book. Full reports of the chief decisions relating to auditing are given in an appendix.

BOOKS RECEIVED.

A Compendium of Modern Equity. Intended chiefly for the Use of Practitioners in the Chancery Division of the High Court of Justice. By ANDREW THOMSON, Esq., B.A., LL.D., Barrister-at-Law. William Clowes & Sons (Limited). Price 30s.

The Necessity for Criminal Appeal, as Illustrated by the Maybrick Case and the Jurisprudence of Various Countries. Edited by J. H. LEVY. P. S. King & Son.

American Law Review. March-April, 1899. Editors, SEYMOUR D. THOMPSON (St. Louis), LEONARD A. JONES (Boston). Reeves & Turner.

CORRESPONDENCE.

DIRECTORS' QUALIFICATION.

[To the Editor of the *Solicitors' Journal*.]

Sir,—I notice that in the case of *Salton v. New Beeston Cycle Co.*, reported in your last week's number [ante, p. 380], where Cozens-Hardy, J., decided that a director cannot be said to have "ceased to hold" his qualification where he has never had it, a *dictum* of Kay, J., in *Hewitt's case* (25 Ch. D. 283) does not appear to have been cited. The latter judge says (at p. 286), referring to a similar Article, "And if a director did not obtain his qualification within a reasonable time his office might probably be treated as vacated under Article 63."

I think that there can be no doubt, however, as to the correctness of the judgment of Cozens-Hardy, J., notwithstanding the *dictum* of Kay, J., which I remember once giving me some uneasiness in advising in a sense contrary to it.

R. B. L.

10th April, 1899.

THE LAND TRANSFER ACT, 1897.

[To the Editor of the *Solicitors' Journal*.]

Sir,—A. by his will appoints B. and C. executors, and devises real

estate to D. A. dies, and B. alone proves his will, and has executed a formal assent to the devise to D. C. has not renounced probate.

Can a purchaser from D. insist on C. either renouncing or concurring in the assent?

[Our own view is that the purchaser can insist on C. either renouncing or concurring in the assent. Until he does so he remains a personal representative, deriving his title from the will and not from probate; and under section 2(2) of the Land Transfer Act, 1897, one only of two joint personal representatives cannot, without the authority of the court, sell real estate.—ED. S.J.]

CASES OF LAST Sittings.

Court of Appeal.

HODDINOTT v. NEWTON, CHAMBERS, & CO. (LIM.). No. 1. 25th March.

MASTER AND SERVANT—EMPLOYERS' LIABILITY—ACCIDENTAL INJURIES—BUILDING—THIRTY FEET IN HEIGHT—BEING CONSTRUCTED OR REPAIRED BY MEANS OF A SCAFFOLDING—WORKMEN'S COMPENSATION ACT, 1897, s. 7.

This was an appeal from an award of the judge of the Wandsworth County Court in an application for compensation under the Workmen's Compensation Act, 1897, made under section 1, sub-section 4, of the Act at the hearing of an action under the Employers' Act, 1880. The claim was made by the widow of a workman who had died in consequence of accidental injury sustained by him in the course of his employment. The employers, who were builders, had undertaken to strengthen the structure of a recently erected building, which was used as the stables of an omnibus company, by the insertion of iron stays. The building was 28 feet high measured to the top of the upright walls, and 36 feet high measured to the top of the roof. At the time of the accident the deceased man and his fellow workmen were working on a temporary structure set up inside the building, consisting of some planks placed on two trestles, the planks being eight feet above the ground. It was contended on the part of the employers that the case did not come within section 7, sub-section 1, of the Act, because (1) the building did not exceed 30 feet in height when measured to the top of the parapet, which was the proper way of measuring, as shewn by section 5 of the London Building Act, 1894; (2) the building was not being constructed or repaired by means of a scaffolding. The county court judge held that the case came within the Act, and made an award in favour of the applicant. The employers appealed.

THE COURT (A. L. SMITH, COLLINS, and ROMER, L.J.J.) allowed the appeal.

A. L. SMITH, L.J., said that in his opinion the building, being over 30 feet high up to the top of the roof, exceeded 30 feet in height within the meaning of this Act. But was it being constructed or repaired by means of a scaffolding? He thought they could not interfere with the finding of the county court judge that this arrangement of planks and trestles constituted a scaffolding. There might be a scaffolding inside a building as well as outside, nor did the Act say that the scaffolding need be 30 feet high. But in his opinion this building was not being constructed, because it had already been constructed, neither was it being repaired, because it was a new building and was not out of repair. The Act in the definition of "undertakers" in sub-section 2 of section 7 used the word "alteration" in the case of an engineering work, but it omitted that word in the case of a building. On that ground he thought the claim failed, and the appeal must therefore be allowed.

COLLINS, L.J., also thought that the appeal must be allowed. In his opinion the scaffolding must have some relation to the height of the building. The operation to which scaffolding was contemplated by the Legislature as an essential [seemed] *prima facie* to be the work of constructing or repairing a building as a whole. It was impossible to define the exact legal meaning of scaffolding as used in this connection, but he did not think the Legislature meant that, when once a building had reached the height of 30 feet, any operation which could be called construction or repair, either inside or outside, however near the ground, where the workmen had to stand on an arrangement which might be called scaffolding, would be within the Act. He agreed that the present case did not come within the Act.

ROMER, L.J., concurred.—COUNSEL, B. M. BRAY, Q.C., and G. SPENCER BOWER; RUEGG, Q.C., and I. W. MOYES, SOLICITORS, INGLE HOLMES & SONS; C. F. APPLETON.

[Reported by F. G. BUCKER, Barrister-at-Law.]

REES v. THOMAS. No. 1. 25th March.

MASTER AND SERVANT—EMPLOYERS' LIABILITY—ACCIDENTAL INJURIES—ACCIDENT ARISING OUT OF AND IN THE COURSE OF THE EMPLOYMENT—WORKMEN'S COMPENSATION ACT, 1897, s. 1, SUB-SECTION 1.

This was an appeal from an award of the judge of the Bridgend County Court under the Workmen's Compensation Act, 1897. The applicant was the widow of the injured workman. On the day of the accident the deceased, who was a fireman in the service of the employer, a mine-owner, had made an examination of the mine, and it was his duty to make a report in writing and take it to a building half a mile away from the pit's mouth. In violation of one of the rules of the mine he rode upon a truck towards his destination. The horse which was drawing the truck having taken fright, the deceased jumped off and tried to stop it, but he was run

over and killed. The county court judge found that the accident was not attributable to any serious and wilful misconduct on the part of the workman within section 1, sub-section 2 (c), and held that the accident did arise out of and in the course of the employment of the deceased within sub-section 1, and he made an award in favour of the applicant. The employer appealed.

THE COURT (A. L. SMITH, COLLINS, and ROMER, L.J.J.) dismissed the appeal.

A. L. SMITH, L.J., said it was argued that this case did not come within the Act, because the deceased in trying to stop the horse was doing a voluntary act, and something which was not within the scope of his employment. In his opinion this was a case of a servant, while in his master's employ, doing upon an emergency something outside the scope of what he was employed to do in the interests of his master. In *Lowe v. Pearson* (47 W. R. 193; 1899, 1 Q. B. 261) he had expressly reserved the point whether such a case came within the Act. Now that the case arisen, he thought it did come within the Act.

COLLINS and ROMER, L.J.J., concurred.—COUNSEL, Ruegg, Q.C., and Sankey; C. A. Cripps, Q.C., and W. D. Benson, SOLICITORS, Bell, Brodrick, & Gray, for T. J. Hughes, Bridgend; Riddell, Vaizey, & Smith, for Walter Morgan, Bruce, & Co., Pontypridd.

[Reported by F. G. RUCKER, Barrister-at-Law.]

High Court—Queen's Bench Division.

REG. v. JUSTICES OF LONDON. *Ex parte* BAYNE. Div. Court. 3rd and 10th Feb.

Poor Rate—Recovery—Issue of Distress Warrant—Appeal to Quarter Sessions—JURISDICTION.

In this case a rule nisi had been obtained calling upon the justices of London in quarter sessions to shew cause why a writ of mandamus should not issue directed to them commanding them to hear an appeal of the Palmerston Publishing Co. (Limited) against the issue of a certain warrant issued by the justices for the Strand Division to levy by distress and sale of the goods of the company for the non-payment of certain parochial rates, amounting to £56, in respect of premises 291, Strand. The court of quarter sessions had held that they had no jurisdiction to hear the appeal on the ground that there is no right of appeal from an order of justices issuing a distress warrant for the recovery of poor rates.

THE COURT (LAWRENCE and CHANNELL, J.J.) discharged the rule.

CHANNELL, J., read the judgment of the court, in the course of which he said that a rule had been obtained calling on the quarter sessions for London to hear an appeal, which they had refused to hear on the ground that there was no right of appeal. The appeal was against an order of justices directing a distress warrant to issue for recovery of poor rates and other rates. The appellants alleged that they had not been rated and that their name, so far as it appeared on the rate-books at all, had been placed there subsequently to the allowance of the rates. No distress had actually been levied, and, that being so, section 7 of 17 Geo. 2, c. 38, could not be relied on as giving a right to bring the present appeal, as that gave a right of appeal only to persons aggrieved by a distress. The statute of 43 Elizabeth, c. 2, s. 6, was relied on as authorizing the appeal, but no case could be found in which there had been an appeal against the issuing of a distress warrant. Nor in the books of practice of quarter sessions, in the professedly complete list of appeals to quarter sessions, was there any mention of an appeal against a warrant of distress. It would be very strange, if there was such a right of appeal, that there should be no trace of it during the 300 years which had elapsed since the time of Elizabeth. The answer suggested to this was that until 17 Geo. 2 there was no limit of time for the appeal against a rate and that in all probability appeals were not prosecuted until an effort had been made to levy the money, and then the appeal would be against the warrant, the rate, and all the proceedings. Further, up to the period of 17 Geo. 2 it was pointed out that an action would generally be maintained in the cases in which, according to this contention, an appeal lay against the warrant, and that most people would prefer an action in which they might get damages to a mere appeal. There was some force in that, but the court thought it hardly accounted for the complete absence of any trace of such an appeal. They thought the explanation was this: The statute of Elizabeth in general terms gave an appeal against any act done by justices. It did not, however, provide any machinery for making the rate or for the time or manner of an appeal. Many years elapsed before any definite course of procedure was made obligatory by the legislature. Ultimately, when, no doubt, great diversity in practice has arisen, the statutes of 17 Geo. 2, c. 3, and c. 38 were passed, which provided some machinery both for the making of rates and for the appeals. From that time other Acts of Parliament had from time to time been passed as to the mode of making rates and other similar matters. The result was that, although the statute of Elizabeth remained unrepealed and was the foundation of the law of rating, its general provisions had been superseded by the particular provisions of subsequent legislation. Just as the manner of making a rate, which was left entirely undefined in the statute of Elizabeth, had been defined by subsequent legislation, so the mode, time, and manner of making the appeals, which in general terms were authorized by the statute of Elizabeth, had been defined, and at the present time the right of appeal given by the statute of Elizabeth existed only in the way defined by subsequent legislation. The mode of appealing against a rate was well known, and need not be considered. The mode of appealing against the act of justices in authorizing the money to be levied by distress was by appealing under section 7 of 17 Geo. 2, c. 38, against the distress. It was suggested that that section did not cover the

whole ground, as it only gave a right of appeal where the distress was outside the place of assessment, and that it presupposed the existence of a right of appeal when the distress was outside the place of assessment, and that that appeal must be under 43 Elizabeth. The court did not think so. Section 7 referred to distress—first, in the place of assessment; secondly, outside that place, but within the same county or precinct; thirdly, outside the county; and went on to say that any person "aggrieved by such distress as aforesaid" might appeal. The court thought that that meant "aggrieved by any such distress as aforesaid"; it was not confined to "such distress as last aforesaid." There was, therefore, an appeal under that section whenever a distress was levied either in the place of assessment or elsewhere, but, of course, there was no appeal under it against the mere act of issuing the warrant unless it was followed up by a distress. This enactment appeared to define the mode of appealing against the distress warrant and to prevent an appeal until there had been a distress. The case of *Reg. v. Devon Justices* (1 M. & S. 410) had been cited as shewing that when an appeal was given against the act of justices the appeal might be against the warrant before the distress. The case itself did not shew that, though Lord Ellenborough seemed to treat it as possible. What he held, however, was that there was no real grievance until the distress. That case did not really help the appellant. His lordship then referred to the case of *Reg. v. Kent Justices* (16 L. T. N. S. 672). That case only decided that there could be no appeal under section 7 of 17 Geo. 2, c. 38, on grounds applicable to an appeal against a poor-rate. The court thought that they could not hold that there was now an appeal under 43 Elizabeth against a justice issuing a distress warrant to levy a rate except under the conditions and in the manner provided for by subsequent statutes—that was, after the distress had been levied. This view was entirely in accordance with all recorded practice. In the present case the warrant was issued to levy general district rate and sewers rate as well as poor-rate, but that seemed to make no difference. It was suggested in the argument that it would be very desirable that there should be an appeal. That might be the case; but, as an appeal to quarter sessions was entirely statutory, it had little, if any, bearing on the question to be decided. What the court was holding was simply that the appeal was premature before levy and that the quarter sessions were right in refusing it. The rule must be discharged. Rule discharged.—COUNSEL, J. P. Grain and Peter Grain; J. B. Matthews, SOLICITORS, J. C. & W. W. Isaacson; H. C. Barker.

[Reported by F. O. ROBINSON, Barrister-at-Law.]

ROWLANDS (Appellant) v. MILLER (Respondent). Div Court. 17th Feb

SHIPPING—SEAMEN—WAGES—ADVANCES—ENGAGEMENT OF SEAMEN ABROAD—DEDUCTIONS—MERCHANT SHIPPING ACT, 1894 (57 & 58 VICT. c. 60), ss. 140, 163.

Case stated by justices for the borough of South Shields. At a petty session on the 15th of September, 1898, a complaint was preferred by the respondent against the appellant under the Merchant Shipping Act, 1894, charging the appellant with refusing to pay to the respondent the sum of £11, being the balance of wages earned and due to the respondent as an able seaman on board of the ship *Hutt on Hall*, of which the appellant was the master, on a voyage from San Francisco to Antwerp and the Tyne at the rate of £1 per month. This was heard by the justices who ordered the appellant to pay to the respondent the sum of £6 17s. 6d. and costs. The vessel was lying at San Francisco wanting a crew, and the appellant, the master, had requisitioned a Mr. Herman, a crimp, to procure him one. Herman procured the respondent amongst others, who were entered as A.B.'s. Three or four days after sailing owing to complaints that had been made, the master disrated certain of the men (including the respondent) from £4 to £2 10s. per month. It was one of the terms of the engagement of the men that they should receive an advance of 40 dols. (58 5s. 8d.), thereupon a note was drawn up and passed from the respondent to the crimp Herman. It was not signed by the appellant nor by anyone on his behalf, but during the argument it was admitted for the respondent that the appellant had paid to Herman the amount of the note, though no evidence of payment was tendered before the magistrates. The note ran thus: "40 dols.—San Francisco, April 11, 1898.—Received on board the ship *Hutt on Hall*, Fred Miller as seaman, who acknowledges to having shipped and received the sum of forty dollars in advance, and who hereby assigns this note to Mr. Herman." The note was indorsed: "For value received I hereby assign this note to Mr. Herman.—Fred Miller." The respondent (who had never been to sea before) expected to receive some money from Herman, but he stated that he had not received any money from him, but only something towards an outfit. On arriving in England the respondent was offered his wages at the rate of £2 10s. per month, less the advance deduction of £8 5s. 8d. The respondent refused to accept it and brought this complaint before the justices, who decided that the disrating of the respondent was right, but that the deduction of £8 5s. 8d. for two months, advance at San Francisco was not authorized by law, and they decided to allow a deduction of £4 2s. 10d. only (being one month's wages), under the limitation contained in section 140 of the Merchant Shipping Act, 1894, sub-section 1. On the part of the respondent it was contended that by section 140 the utmost advance which could be made, assuming that section applied to the present case, was to the extent of one month's wages. The appellant contended that the law permitted advances abroad to any extent, and insisted upon the whole deduction. The respondent relied on section 163 of the same Act as a distinct prohibition against any advance whatever abroad, and that besides this prohibition the note given to Herman was not a document binding the appellant to pay, and therefore not binding upon the respondent at all, as being in fact an assignment or charge made prior to the accruing of wages by the seaman, which by clause (b) of sub-section 1 of section 163 is declared not binding

upon the seaman making it. The justices adjudged that section 163 was controlled by section 140, and that the first part of the section authorized an advance made anywhere, but only to the extent of one month's wages, and they held that the appellant was entitled to deduct one month's wages only from the respondent's claim. *Cur. adv. vult.*

THE COURT (LAWRENCE and CHANNELL, JJ.) now delivered their judgment in favour of the appellant.

The judgment of the COURT was read by

CHANNELL, J.—This was a case stated by justices in proceedings before them taken by a seaman under the Merchant Shipping Act, 1894, to recover wages claimed by him, and it raised a question very similar to that in a case of *Ritchie v. Larsen*, decided by us on the 26th of January last. The magistrates, however, in the present case based their decision on section 163 of the Act of 1894, a section to which our attention was not called on the argument of the former case, and, in addition, our attention was called by counsel for the respondent in the present case, to the statute 8 Geo. 1, c. 24, the 7th section of which appears to be still in force, though almost all the Act has been repealed. It became necessary therefore for us to consider not only whether the present case differed in any essential particular from the previous case, but also whether our former decision was correct. We accordingly took time to consider the matter. In *Ritchie v. Larsen* we decided that advances to seamen conditional on their shipping from a foreign port were not forbidden by the combined effect of sections 123 and 140 of the Merchant Shipping Act, 1894. We assumed that they were not forbidden by any other statute, as none was called to our attention. The former judgment was given immediately on the conclusion of the argument, as the case then appeared quite clear. I have now fully reconsidered the whole matter, and I am confirmed in the view I took on the former occasion as to the effect of the sections which we then had under consideration. I still think the effect of those sections is clear, and I think it unnecessary to repeat what I then said. I have also come to the conclusion, though with considerable doubt, that the sections to which we have since been referred do not affect the matter, and that our former decision was correct. I will deal first with the old statute 8 Geo. 1, c. 24, which was an Act for the more effectual suppressing of piracy. I think the 7th section of that statute is certainly unpealed. It is printed in the revised edition of the statutes, the rest of the Act being omitted. In the Law Reports index of the statutes repealed, the other sections are shewn to be repealed, but this is not. It is also referred to as existing in most of the editions of Abbot on Shipping down to the fourth, though it has been dropped out in the two last editions, apparently because it is considered superseded rather than repealed. The words of the seventh section of that Act are as follows: "Act for prevention of seamen or marines deserting merchant ships or vessels abroad in the plantations or in any other parts beyond the seas which is the chief occasion of their turning pirates, and of great detriment to trade and navigation, and is chiefly occasioned by the owner or owners of ships or vessels paying wages to the seamen or marines when abroad. Be it enacted by the authority aforesaid: That no master or owner of any merchant ship or vessel, shall pay or advance, or cause to be paid or advanced to any seaman or marine during the time he shall be in parts beyond the seas, any money or effects upon account of wages exceeding one moiety of the wages which shall be due at the time of such payment, until such ship or vessel shall return to Great Britain or Ireland or the plantations, or to some other of his Majesty's dominions whereto they belong, and from whence they were first fitted out, and if any such master or owner of such merchant ship or vessel shall pay or advance, or cause to be paid or advanced, any wages to any seaman or mariner above the said moiety, such master or owner shall forfeit and pay double the money he shall so pay or advance to be recovered in the High Court of Admiralty by any person who shall first discover and inform of the same." Now, I think, reading that as a whole and noting that the object is to prevent desertion, that it does not apply to the term of the engagement of seamen abroad. It applies to seamen already on the ship on its touching at the foreign port, and it forbids payment to them there of more than half of the money which has become due to them in respect of the outward voyage and the advancing to them of any future wages, with the object of giving them substantial inducement to remain on the ship for the homeward voyage. I do not think this enactment prevented a master from engaging a man in a foreign port on the terms that he should be paid so much money down on joining the ship, and the balance at the end of the voyage. That might be the only means of replacing deserters, and it could not increase pirates. Even if this view be wrong, I think the only consequence of a breach of the enactment would be that an informer might sue in the Admiralty Court. The case would probably come within the rule that where an enactment and a penalty for breach of it are mentioned in the same clause, the penalty is the only remedy for the breach; but in any case it seems to me that it would be impossible for a seaman who had been paid in a foreign port a sum in excess of the moiety allowed by this enactment to sue successfully on his return to this country for his whole wages. That would make the master forfeit the sum paid to the seaman as well as forfeiting double the sum to the informer, or treble the sum altogether. I think, therefore, that this enactment does not forbid an advance to a seaman engaged abroad, and further, that if it did, it would not enable a seaman to recover the sum advanced again as unpaid wages, but would merely enable him or any other informer to recover double the money as a penal sum in the Admiralty Court. Next, to deal with the 163rd section of the Merchant Shipping Act, 1894. This is as follows: [His lordship read the section, and proceeded:] It is contended that sub-sections (b) and (e) of this section in effect make advance notes

void as against the seaman, and further, that even if that be not so, in all cases, at all events the transaction described in this special case was valid. It is convenient to consider first the general question, and then see how far the present case differs from the ordinary one. Advances and advance notes have been known for many years, and have been for many years the subject of legislation. They have been dealt with in a separate part of this very statute, and it is unlikely that it could have been intended to alter the effect of that part of the statute by this section coming in a later part and not mentioning advances. Sub-section 2 of the section saves allotment notes under the Act from the operation of the section, and it was necessary to do so, as they are clearly assignments. If advance notes were within it, one would expect that the advance notes authorized by section 140, sub-section 1, would be accepted, but they are not. Now, it seems clear that unless section 140 does so, there is no section of this Act nor any other Act (other than that of Geo. 1, which I have dealt with) which in any way forbids a contract by a master with a seaman whom he engages abroad to pay that seaman a sum on account of his wages immediately on his joining the ship. Section 163 could only touch payments not to the seaman but to someone on his behalf and by his order, and then only if the transaction was an assignment by the seaman of wages before they had accrued due or an authority to receive wages. Now, advance notes really are not mere assignments. The master generally makes himself liable conditionally to a third party, the holder of the note. It is true that it has been held in the *Cardiff Boarding Masters' Association v. Cory & Sons* (9 Times L. R. 388) that advance notes promising to pay the seaman "or order" are not negotiable instruments because they are conditional. But they may be so framed as to be payable directly to the third person either by name or on the fulfilling a condition: see *McKune v. Joynson* (5 C. B. N. S., at p. 228). I think that advance notes signed by the master in any of the usual forms cannot be considered merely as assignments by the seaman. There is another ground on which they might be considered as not coming within section 163. Section 163 relates, according to its heading, to "wages due or accruing due." Now, wages cannot be strictly considered to be "accruing" until the service has commenced. Consequently, a sum contracted to be paid when the seaman ships on board and conditionally on his so shipping, cannot in strictness be said to be a sum which before he ships is "accruing," notwithstanding that if it becomes payable it is to be taken into account as part of his wages. This is perhaps somewhat fine, but to hold that section 163 is confined to dealings with wages after the service has commenced brings about a result which accords with what appears to be the scheme of the Act, and leaves advances and agreements as to advances made before the commencement of the service to be governed by the earlier sections of the Act. On the whole, I come to the conclusion that advance notes signed by the master and in an ordinary form are not struck at by section 163, and that our decision in *Ritchie v. Larsen* was correct. Before dealing with the facts of the present case, there is another point to be noticed in reference to section 163. It does not contain the words which are in section 140, that money paid under the documents referred to shall not be deducted from the seaman's wages, and that a person paying shall have no right of action or set-off against the seaman. I think therefore, that a payment made under an assignment before it is avoided, or a power of attorney or authority before it is revoked, must be good. Take sub-section (e) as to powers of attorney not being irrevocable. This would seem to mean that they should not be irrevocable by reason of the party in whose favour they have been given having an interest in the money, but not that they should be revocable after payment had been made under them. In the same way I think assignments under sub-section (b), which are declared not binding on the seaman, must be voidable only, and not void, and consequently could not be avoided after they had been acted on. This latter point might perhaps be doubtful, as the master paying must necessarily have notice of the invalidity, if it exists, as it is created, if at all, by the statute. Now, to deal with the facts of the present case. The case states it was one of the terms of the engagement of the respondent by the appellant that he should receive an advance of 40 dols. At common law such a contract would, of course, be good, and I have failed to find any statute forbidding it. [Having dealt with the facts, his lordship continued:] It seems to me that the forty dollars which by a valid contract between the respondent and the appellant was to be paid by the respondent, was paid to Herman by the respondent's actual authority. Under those circumstances it seems to have been a valid part payment of his wages, and there is nothing in the statutes empowering him to recover it over again. If we were to assume that the money was not paid, but that the appellant was merely relying on a supposed liability to Herman, I should have great doubt on the case. I do not think the facts stated in the case shew a liability of the respondent to Herman. The respondent not having signed the document, was not directly pledged by it to pay. If it had not been agreed that we should decide the case on the assumption that the money had been paid by the appellant to Herman, I should think it necessary to remit the case to the magistrates to find further facts. As it is I think the appellant was entitled to deduct the whole sum paid, and that judgment should be given for the appellant. The answers to the three questions put in the case should be: 1st, the magistrates were not right in allowing a deduction of one month only; 2nd, section 163 does not prohibit advances at all; 3rd, there is no limit to advances made abroad, and in this case the payment was by respondent's authority and was binding on him. The appellant is entitled to deduct a further sum of £4 2s. 10d. beyond the deduction allowed by the magistrates.—COUNSEL, *Horridge; J. D. Johnson, Solicitors, Betterell, Roche, & Temperton, Newcastle and London; Pattinson & Brewer, for Jacks, South Shields.*

[Reported by Sir SHERSTON BAKER, Bart., Barrister-at-Law.]

Bankruptcy Cases.

Re CALVERT. Ex parte THE DEBTOR. Wright, J. 13th March.
BANKRUPTCY—PRACTICE—SCHEME OF ARRANGEMENT—PROCEDURE OF DEBTOR IN EXPUNGING PROOFS.

In this case the debtor had made a proposal for a scheme of arrangement with his creditors providing for 7s. 6d. in the pound on the amount of his proved debts. After the scheme had been formulated fourteen creditors sent in proofs for large sums by way of unliquidated damages for alleged breaches of contract. These proofs, if admitted, would have ruined the scheme, as there were not sufficient funds available for the payment of 7s. 6d. in the pound on these claims in addition to the proofs already admitted. Under these circumstances the debtor applied to the court for directions as to what steps he should take to remove these proofs. He offered to indemnify the official receiver against the costs of rejecting the proofs if he were allowed to reject them in the official receiver's name, but this course was objected to by counsel on behalf of the official receiver who suggested that the better course would be for the debtor to move for leave to expunge the proofs. Counsel for the debtor urged that he should have leave to serve notice on the creditors calling upon them to shew cause why their proofs should not be expunged.

WRIGHT, J., directed that the debtor should serve notices of motion upon each of the creditors in question stating his intention to apply to the court for leave to expunge their proofs.—COUNSEL, *Reed, Q.C.*, and *Carrington; Muir Mackenzie, SOLICITORS, Poole & Robinson; The Solicitor to the Board of Trade.*

[Reported by P. M. FRANCKE, Barrister-at-Law.]

Solicitors' Cases.

SOLICITORS ORDERED TO BE STRUCK OFF THE ROLLS.
11 April—ALBERT EDWIN POLLARD (Burnley).
11 April—WILLIAM HENRY FORSTER.
11 April—JAMES LONGMORE LEADBITTER (Catchgate, Annfield Plain, Durham).
11 April—FREDERICK SIDNEY WADDINGTON (11, Poultry, London).
12 April—CHARLES HENRY VINCENT (Haverhill, Suffolk).
12 April—HENRY REID (4, Bond-court, Walbrook).

LAW SOCIETIES.

THE WAKEFIELD INCORPORATED LAW SOCIETY.

The following are extracts from the report of the committee :
Members.—The number of members at the beginning of 1890 was fifty-nine. Two new members have been elected, and the roll at the end of the year numbered sixty-one.

Legal Education.—A conference of Yorkshire Law Societies was held at York, at the instance of Mr. Gordon, of Bradford, and Mr. Munby, of York, to consider the advisability of reorganizing the Yorkshire Board of Legal Studies, which was founded some years ago to provide facilities in Yorkshire for the education of articled clerks, but which became defunct in 1893. A sub-committee was appointed to consider and report, and it is hoped that in the course of this year a workable scheme will be devised.

Proposed Association of Yorkshire Law Societies.—Various conferences of Yorkshire Law Societies have been held in Leeds and York for the purpose of considering the advisability of forming an association of such societies. A committee was appointed (of which Mr. Plews is a member) to draw up a scheme for such an association, the various societies being favourable to its formation.

General.—Considering the existence of the Land Transfer Act and its probable extension to Yorkshire and other counties in the near future, and also considering the constant attempts that are being made, by legislation and otherwise, to encroach upon the work of the profession and divert it into the hands of the officials, your committee would urge upon members the great importance of supporting the society by taking a greater interest in its affairs and by inducing others to join so that the society may be as influential and representative as possible.

LAW ASSOCIATION.

A meeting of the directors was held at the Hall of the Incorporated Law Society on Thursday, the 6th inst., Mr. Chas. Burt in the chair. The other directors present were: Mr. Daw, Mr. Nisbet, Mr. Peacock, Mr. Sidney Smith, and Mr. Valance. A grant of £5 was made in relief of an applicant. Three new members were admitted to the association, and other general business transacted. The annual general court was fixed for Monday, the 15th of May next, at two o'clock.

UNITED LAW SOCIETY.

April 19.—Mr. A. Richardson moved: "That the decision of the Court of Appeal in *Re Hirth, Ex parte Official Receiver*, was wrong." Mr. J. B. Matthews opposed the motion. Messrs. Hubbard, Davey, and Kirby also spoke. The motion was carried.

SOLICITORS' BENEVOLENT ASSOCIATION.

The usual monthly meeting of the board of directors of this association was held at the Law Institution, Chancery-lane, London, on Wednesday,

last, the 12th inst., Mr. Richard W. Tweedie in the chair. The other directors present being: Messrs. W. F. Blandy (Reading), H. Morton Cotton, G. R. Dodd, Walter Dowson, Samuel Harris (Leicester), John Hunter, Sir George H. Lewis, F. Rowley Parker, Sidney Smith, F. W. Stone (Tunbridge Wells), Maurice A. Tweedie, Frederic T. Woolbert, and J. T. Scott (secretary). A sum of £325 was distributed in grants of relief, eleven new members were admitted to the association, and other general business transacted.

LAW STUDENTS' JOURNAL.

COUNCIL OF LEGAL EDUCATION.

The following is the result of the Easter Pass Examination held in the Inner Temple on the 21st, 22nd, and 23rd ult. :

PASS CERTIFICATES.

LINCOLN'S-INN.—Syed M. Amir, Shanker L. Batra, Harold F. Bidder, Lucius W. Byrne, Hamilton H. M. Dent, George M. D. Falkner, Padam P. Ginwala, Henry H. J. Gompertz, Jacobus K. D. Hill, Chen Ivan, Fitz Herbert G. Knight, Malcolm Laing, William M. Muir Mackenzie, Alan C. Nesbitt, Munshi K. Prasada, George E. Raine, Saul Solomon, and Arthur H. Webster.

INNER TEMPLE.—Raymond H. Y. Bullock, Reginald C. C. Carr, George L. Courthorpe, William J. Dalzell-Burney, Bernard N. Fraser, Arthur Hawley, John W. Hewitt, Thomas W. H. Inskip, Henry J. Jacobs, Ivor L. Johnson, Edwin M. Constance, Aubrey T. Lawrence, Ernest F. Openheim, Robert Amyatt Ray, Robert B. F. Robertson, Guy H. G. Scott, Aubrey A. Smith, Herbert W. Smyth, Henry W. Steele, Arthur L. B. Theesiger, Frederic G. Thomas, Fritz van Warmelo, Ernest J. Welfare, and Joseph Wilson-Johnston.

MIDDLE TEMPLE.—Kalikrishna W. Bonnerjee, Rustomjee N. Burjorjee, Chaman L. Dhingra, Robert L. Guthrie, Naoroji H. N. Mody, Philip B. Morle, Leonard E. Smith, Charles D. Steel, and Walter S. Wilkinson.

GRAY'S-INN.—Jotindra N. Bonnerjee, Bernard Campion, George W. Clarke, Surendra N. Haldar, Ernest Houghton, William de G. Lamotte, Seth P. Lewis-Jones, John C. C. Macrae, George Ignatius Mendes, Inoogauthy S. Naidu, Shankar Nath, Frederick G. Palin, Mehar C. Pebra, Bhagat R. Puri, Sardarsinhji R. Rana, and Narain D. Sethi.

The number examined was 97, and of these 67 passed. One candidate was ordered not to be admitted for examination again until the Michaelmas Examination, 1890.

The following passed in Roman Law and Constitutional Law and Legal History :

LINCOLN'S-INN.—Arthur H. S. Aston, Alfred E. Daniell, William G. S. Hynde, and Charles Ross.

MIDDLE TEMPLE.—Lambert F. Wintle.

GRAY'S-INN.—Virchand R. Gandhi, John W. Jones, Badruddin Qureshi, and Jotindra Nath Roy.

The number examined was 19, and of these nine passed.

The following passed in Constitutional Law and Legal History :

LINCOLN'S-INN.—Ralph F. Bury, Cuthbert B. Camm, Vallabhadas S. Doshi, John B. Dyne, Cyril A. L. Lewis, Manilal J. Mody, Karm Narain, Yeahwant R. B. Pandhre, Walter W. Renshaw, and William C. Wise.

INNER TEMPLE.—Arthur G. Blake, Reginald C. Carter, Thomas Close Christopher Erle, William H. Friend, Edgar J. Garston, Frank Giles, Harmood-Harmood-Banner, Charles J. Jackson, Douglas H. Johnston, Henry H. Joy, Frank Northen, Bernard V. C. Ransome, Alfred R. Sargeant, William B. S. Smith, Richard J. F. Thomas, Henry B. de V. Tupper, and Arthur F. Wood.

MIDDLE TEMPLE.—Peter J. Boland, Charles Bray, William H. D. Clark, Harold R. le V. de Carteret, Thomas Fentem, William N. Graham, Richard A. Hornby, George R. Howat, Thomas H. Lyle, Ralph A. Maude, William L. Newey, Samuel I. Oddie, William Parker, Léon Renaud, Johannes W. J. W. Roux, and Harry M. Thine.

GRAY'S-INN.—Carl F. Borchenhagen, William Burke, Satish C. Gupta, Hugo Horniman, Mumtaz Husein, Edward O'Connor, and Edward J. Steegmann.

The number examined was 69, and of these 51 passed. Two candidates were ordered not to be admitted for examination again until the Michaelmas Examination, 1890.

The following passed in Roman Law only :

LINCOLN'S-INN.—Edward Ackroyd, Gordon Crosse, Ramam K. Doss, Benjamin C. Forder, Horace Freeman, Sukumar C. Roy, and Robert W. Wylie.

INNER TEMPLE.—John C. Adams, Bernard J. W. Barry, Eustace M. Baxendell, Pestamji Dadabhai, George A. Field, Nugent C. Grant, Henry J. Green, John F. Marshall, Charles R. Maclare, Nai Siri, Aubrey O. Robinson, Patrick N. Russell, Edgar W. Walker, George F. Walker, and Robert H. Whitworth.

MIDDLE TEMPLE.—Mohamed Arabi, Harold E. Brown, Arthur H. W. Cress, Hugh O. Dolbey, James H. Earls, Ralph B. H. Gibbons, Robert P. Hughes, Julius Jacob, William S. Jones, Kazim A. Khan, Sadiq A. Khan, Sidney H. Lamb, Thomas B. Leigh, Edward P. Manby, Morgan Morgan, Henry W. Ramsay-Fairfax-Lucy, Charles W. Whitworth, Gilbert C. Williams, and Gordon B. Winch.

GRAY'S-INN.—Archibald D. Arnott, Francis R. Capello, Hukam Chand, John M. Davies, Thomas H. Howson, Devendra K. Mullick, John P. Parcell, Randolph M. Smyth, and Abraham C. G. Wijeyekoon.

The number examined was 69, and of these 50 passed. Three candidates were ordered not to be admitted for examination again until the Michaelmas Examination, 1890.

LAW STUDENTS' SOCIETIES.

LAW STUDENTS' DEBATING SOCIETY.—April 11.—Chairman, Mr. Alfred Hildeheimer.—The subject for debate was: "That counsel to whom a prisoner has confessed his guilt is not morally justified in endeavouring to convince the judge and jury of the prisoner's innocence." Mr. Charles A. Anderson opened in the affirmative; Mr. A. E. Clarke opened in the negative. The following members also spoke: Messrs. A. H. H. Richardson, John Nicholls, Archibald Hair, Hamilton Fox, Neville Tebbutt, A. W. Watson, P. S. Solomon, Stedson Broadbent. The motion was lost by five votes.

BIRMINGHAM LAW STUDENTS' SOCIETY.—April 11.—Mr. A. Graham, M.A., barrister-at-law, presided, when a discussion took place on the following moot point: "In 1890, on the severance of an estate, a right of footway over a defined and metalled road forming portion of Lot 2 was granted to the purchaser of Lot 1, and the conveyance of Lot 2 was made subject to the such right. The purchaser of Lot 1 alleges, and the fact is, that the tenants of Lot 1 had for many years prior to the severance used the road as a cartway. Can the purchaser of Lot 1 successfully defend an action of trespass brought against him by the purchaser of Lot 2 for using such road as a cartway?" Mr. A. H. McBean opened the debate in the affirmative, and was supported by Messrs. S. P. P. Eaden, W. H. Coley, H. Eaden, and G. C. Pearson. Mr. W. Martin replied in the negative, and was supported by Messrs. J. W. Hallam, H. C. Owen, H. L. Lester, and W. Somers. The point was decided in the affirmative by eight votes to six.

LEGAL NEWS.

OBITUARY.

We regret to record the death on the 5th inst. of Mr. THOMAS MOFFITT STEVENS, D.C.L., barrister. Mr. Stevens was educated at Christ Church, Oxford, and was called to the bar in 1886, after gaining a studentship. He was a member of the South-Eastern Circuit and attended the Sussex, Brighton, and Hastings sessions. He had been editor of the *Law Journal* since 1893. He was a man of great ability, possessed of an admirably clear and pointed style of writing, and his death is a serious loss to legal journalism. Last year he was appointed by the Benchers of Gray's-inn a member of the Joint Board of Examiners. He was the author of a work on "The Elements of Mercantile Law."

Mr. ALMARIC RUMSEY, barrister, died on the 8th inst., at the age of 73. Mr. Rumsey was educated at Rugby and Oxford, where he took a first-class in mathematics and physics. In 1857 he was called to the bar, and practised as an equity draftsman and conveyancer, and subsequently in Indian appeals at the Privy Council. He was for some years assistant solicitor to the Board of Customs. In 1880 he was appointed Professor of Indian Jurisprudence at King's College, London, in succession to Mr. John Cutler, Q.C. Mr. Rumsey was the author of several works on Indian law which have become well-known text-books.

APPOINTMENTS.

Lord RUSSELL OF KILLOWEN, G.C.M.G., Lord Chief Justice of England, has been appointed one of the British Arbitrators on the Venezuela Boundary Arbitration Tribunal, in succession to the late Lord Herschell.

Mr. F. VAUGHAN HAWKINS, barrister, has been elected a Bencher of the Honourable Society of Lincoln's-inn, in succession to the late Lord Herschell.

GENERAL.

Mr. Choate, the American Ambassador, was present at the sitting of the Central Criminal Court on Tuesday, and occupied a seat on the bench next to the Lord Mayor.

The Lord Chancellor will preside at the annual meeting of the supporters of the Inns of Court Mission on Wednesday, the 26th inst., at the Inner Temple lecture-room.

Mr. Justice Barnes is confined to his bed with a chill contracted on Saturday, but, it is stated, is going on favourably. He hopes to resume his judicial duties on Monday.

The General Council of the Bar entertained their late vice-chairman, Mr. Justice Channell, and their late chairman, Mr. Justice Cozens-Hardy, at a dinner at the Grand Hotel on Wednesday evening. The chair was taken by Mr. Joseph Walton, Q.C., the present chairman of the council.

The Attorney-General will preside at the annual general meeting of the bar, which will be held in the Old-hall, Lincoln's-inn, on Tuesday next, the 18th inst., at 4.15. The annual election of members to fill the vacancies upon the council will be held in the week ending May 13th next.

The judges have chosen the following circuits for the autumn assizes: South-Eastern Circuit, Lord Russell of Killowen; Western Circuit, Mr. Justice Day; Oxford Circuit, Mr. Justice Mathew; Midland Circuit, Mr. Justice Lawrence; North and South Wales Circuits, Mr. Justice Bucknill; North-Eastern Circuit, Mr. Justice Grantham and Mr. Justice Wright; Northern Circuit, Mr. Justice Phillimore and Mr. Justice Kennedy.

The death is announced of Mr. Stephen Johnson Field, an ex-Judge of the Supreme Court of the United States. He studied law in the office of his brother, Mr. David Dudley Field, and was called to the bar in 1841. After travelling in Europe he went to California, and practised law at

Marysville, of which town he became judge in 1850, and was elected a member of the first legislature after the admission of California into the Union, taking a prominent part in modelling the laws. After a successful legal career, he was in 1857 elected a judge of the State, and two years later succeeded to the post of Chief Justice, which he held until 1863, when he was appointed Judge of the Supreme Court.

Sixty-seven candidates, says the *Westminster Gazette*, have qualified by examination this term for call to the bar. Recently the percentage of those passing the bar exams. has steadily increased. A couple of years ago it almost always happened that at least 50 per cent. were ploughed, while in the present examination the number has been reduced to 32 per cent. On the other hand, the tendency is to make the preliminary examinations somewhat harder. About 150 gentlemen have already qualified themselves this year for a call to the bar. In the present examination no less than thirty-seven of those who have passed are Indian subjects, or more than a fifth of the whole number.

It is announced that steps have been taken to establish in Leeds a law department at the Yorkshire College, with a professor and three lecturers as the staff. The council of the Incorporated Law Society have been approached with the view of obtaining from them a grant of £250 a year towards the expenses, and the council have offered conditionally £500 towards the fund, payable in the first two years. The council of the Yorkshire College have agreed to take the management of the department on the condition that subscriptions amounting to £450 in the aggregate for five years are promised. Jurisprudence, Roman law, and constitutional law are the proposed subjects for study.

The Law and City Courts Committee of the Corporation of the City of London recently considered the steps to be taken in anticipation of the next avoidance of the office of Judge of the City of London Court, which Mr. Commissioner Kerr has held for forty years. They suggested that when that event arose two judges should be appointed, with salaries of £2,500 and £2,000 respectively, with a retiring allowance of two-thirds of their salary, and that the court should sit daily. The two judges should be placed on the commission of the Central Criminal Court in order that their services might be available there as and when required. If these recommendations were adopted they would be communicated to the Lord Chancellor, with whom the appointment or appointments rested.

Mr. Redden, in the course of a letter to the *Times* on the Colonial Solicitors' Bill, says, "A Bill to provide for the admission of solicitors of courts of British possessions to the Supreme Courts in the United Kingdom is now before Parliament. As originally introduced in 1897, this Bill was submitted to the various colonial Governments, and some modifications were made on its reintroduction in 1898, but it did not then become law. It will, I venture to think, be a matter for regret if this Bill is again passed over in the present Session. All the self-governing colonies in which the English law obtains (without exception, I believe) voluntarily recognize solicitors of the United Kingdom and admit them to practise on conditions varying, of course, in each colony, but invariably favourable. In some colonies an examination is exacted; in others a short preliminary period of residence or service under articles is also required. The Colonial Attorneys' Relief Acts of 1857, 1874, and 1884 afford some recognition to the colonial solicitor, but they are inapplicable to some of the larger self-governing colonies, are by no means free from difficulty, and few of the colonies have taken advantage of them. In regard to the colonies not coming within these Acts, the present position is that, although solicitors of the United Kingdom receive substantial recognition in the colony, the colonial solicitor can receive none in England, and is only admitted after undergoing the full term of service under articles and passing the usual examinations; he is, in fact, on precisely the same footing as the ordinary beginner. The present Bill, which has the approval of the Incorporated Law Society, consolidates and amends the older enactments and provides in effect that, on its being shewn (1) that the regulations in force in a colony are such as to secure proper qualifications and competency, and (2) that solicitors of the United Kingdom are adequately recognized in the colony, her Majesty may by Order in Council prescribe the conditions as to service, examination, fees, &c., on which solicitors of such colony may be admitted to practise in the United Kingdom. This means of dealing with the subject appears sufficiently comprehensive and elastic to allow of arrangements for reciprocal recognition between the mother country and the colonies."

Tenders for Birkenhead Corporation 2½ per Cent. Redeemable Stock (£257,554 5s. 7d.) sufficient to raise the sum of £250,000 sterling, were opened on Monday at the Bank of England. The applications amounted to £319,000 at prices varying from £98 10s. to £97 (the minimum). The average price obtained for the stock is £97s. 1s. 4d.

WARNING TO INTENDING HOUSE PURCHASERS AND LESSERS.—Before purchasing or renting a house have the Sanitary Arrangements thoroughly Examined, Tested, and Reported upon by an Expert from The Sanitary Engineering Co. (H. Carter, C.E., Manager), 63, Victoria-street, Westminster. Fee quoted on receipt of full particulars. Established 23 years. Telegram, "Sanitation."—[ADVT.]

THE SOLICITORS' BUSINESS TRANSFER AND PARTNERSHIP AGENCY.—This Agency has been established for the purpose of offering to Solicitors facilities for Purchasing and Selling Practices and Partnerships. Similar facilities have for a long period been enjoyed by the Medical and other Professions.—For full particulars apply to the SECRETARY, 31 and 32, King William-street, E.C.

FROM THE CHANCERY DIVISION.

1899.

Haynes v Doman appl of deft, A Doman (the younger), from order of Mr Justice Stirling, dated March 22, 1899 March 27
 In re Milward & Co, solrs, &c appl of Milward & Co from order of Mr Justice Kekewich, dated March 24, 1899 (order not perfected) March 27

FROM THE PROBATE AND DIVORCE DIVISION.

(Final List.)

1898.

In re Keighley Keighley v Pinker appl of deft from judgt of The President, dated Nov 25, 1898 December 16

FROM THE COUNTY PALATINE COURT OF LANCASTER.

(Final List.)

1898.

Singlehurst v The Tapscott SS Co Id appl of defts, F B Ross & anr, from order of the Vice-Chancellor of the County Palatine of Lancaster, dated Dec 6, 1898 (order not perfected) December 6

FROM THE QUEEN'S BENCH DIVISION.

(In Bankruptcy.)

In re Gieve, A L (expte C L W Belcher) against an order made by Mr Registrar Hope, and dated Jan 28, 1899

FROM THE QUEEN'S BENCH DIVISION.

Judgments Reserved.

(Final List.)

Horsey Estate Id v Steiger & ors appl of J Steiger from judgt of Mr Justice Hawkins, dated May 11, 1898 Horsey Estate Id v Steiger & ors appl of Petrifis Id from judgt of Mr Justice Hawkins, dated March 26, 1898, at trial without a jury, Middlesex (The Lord Chief Justice of England and Lords Justices A L Smith & Collins—c a v March 7)
 The Queen, on the prosecution of H E Walker & A C Walker (trading as the Rugby Portland Cement Co) v The London and North-Western Ry Co Crown Side appl of defts from judgt of Justices Wills & Kennedy, dated April 28, 1898 (Lords Justices A L Smith, Collins, & Romer—c a v March 16)

In the Matter of The Royal College of Surgeons of England & In the Matter of Customs and Inland Revenue Act, 1885 Revenue Side appl of petners from judgt of Justices Wright & Channell, dated April 29, 1898 (Lords Justices A L Smith, Collins, & Romer—c a v March 22)

FROM THE QUEEN'S BENCH DIVISION.

For Hearing.

(Final List.)

1898.

Jacobs v Lindow appl of pltf in person from judgt of Mr Justice Bruce, dated May 24, 1898, at trial with common jury, Middlesex (security ordered) May 24

The North-Eastern Railway Co (applts) v The Overseers of the Parish of Dalton & the Assessment Committee of Thirsk Union (respts) Crown Side appl of applts from judgt of Justices Wills & Kennedy, dated May 16, 1898 (first day by order) May 28

Hedges v Preston appl of deft from judgt of Mr Justice Bigham, dated June 14, 1898, at trial without a jury, Middlesex June 28

Perfecto Seamless Steel Tube Co & anr v Baron & ors (exors &c) appl of defts from judgt of Justices Day & Lawrence, dated June 15, 1898 June 29

The John Griffiths Cycle Corp Id v Humber & Co Id appl of pltf from judgt of Mr Justice Phillipore, dated June 21, 1898, at trial without a jury, Middlesex July 1

B H Hill (applts) v The Crediton Urban District Council (respts) Crown Side appl of respts from judgt of Justices Wills & Darling, dated April 1, 1898 (not before April 20) July 4

In re J Hopkins, Solr & Solicitors Act, 1898 appl of J Hopkins from judgt of Justices Day & Bruce, dated April 4, 1898 July 4

Terry v Salaman appl of pltf from judgt of Mr Justice Kennedy, dated June 25, 1898, at trial without a jury, Middlesex July 5

Dockrell v Dougall appl of pltf from judgt of Mr Justice Ridley, dated June 16, 1898, at trial with common jury, Middlesex July 9

Parker v Cunliffe appl of pltf from judgment of Mr Justice Wright, dated June 29, 1898 (jury discharged) July 9

Bowler v Barberton Reefs, Id appl of deft Co from judgt of Mr Justice Wills, dated July 5, 1898, at trial without a jury, Middlesex July 11

Ingrams, Id v Toole appl of deft from judgt of Justices Day & Bruce, dated April 1, 1898 July 11

Lush v Edgcumbe appl of deft from judgt of Mr Justice Wills, dated July 4, 1898, at trial with special jury, Middlesex July 11

Strong & anr v Tyler & ors appl of pltf from judgt of Mr Justice Darling, dated July 12, 1898, at trial without a jury, Middlesex July 15

Wyles v Lowe appl of pltf from judgt of Mr Justice Bigham, dated June 23, 1898, at trial without a jury, Middlesex July 15

Macphail v Graham & ors appl of pltf from judgt of Mr Justice Darling, dated July 11, 1898, at trial without a jury, Middlesex July 16

Curry v Stewart appl of deft from judgt of Mr Justice Day, dated July 13, 1898, at trial, &c, Newcastle-on-Tyne July 18

Hughes & anr v Erith Urban District Council appl of defts from judgt of Mr Justice Wills, dated July 5, 1898, at trial with special jury, Middlesex July 19

The Mayor, &c, of Liverpool (applts) v The Assessment Committee of Llanfyllin Union & ors (respts) Crown side appl of respts from judgt of Justices Ridley & Phillips, dated July 8, 1898 July 21

The West Coast Steam Ship Ince Assoc & anr v Matthews & Luff appl of defts from judgt of Mr Justice Bigham, dated July 5, 1898, at trial without a jury, Middlesex July 25

Cullen v Knowles & anr appl of defts from judgt of Mr Justice Bigham, dated July 1, 1898, at trial without a jury, Middlesex (security ordered) August 2

Penny v Wimbledon Urban District Council & anr appl of Wimbledon Council from judgt of Mr Justice Bruce, dated June 18, 1898, at trial with special jury, Middlesex August 4

FROM THE PROBATE, DIVORCE, AND ADMIRALTY DIVISION (ADMIRALTY).

For Hearing.

(With Nautical Assessors.)

1898.

Kingswood—1898—Folios 182 & 243 (damage) Owners of Coatham & ors v Owners of Kingswood and freight appl of defts from judgt of Mr Justice Gorell Barnes, dated July 8, 1898 Sept 16

1899.

La Bourgogne—1898—Folio 275 Thomas Law & Co v La Compagnie Generale Transatlantique appl of defts from judgt of Mr Justice Gorell Barnes, dated Jan 12, 1899 March 27

(Without Nautical Assessors.)

Final Lists.

1898.

Fulham—1897—Folio 580 (illegal detention) The Britain Steamship Co Id & Owner of Steamship Fulham v Thomas Hudson appl of pltf from judgt of Mr Justice Gorell Barnes, dated July 7, 1898 July 25

1899.

Brunel & Glanv're—1898—Folio 288 The Mayor, Aldermen, &c, of the City of Bristol v Owners of SS Glarmie (Admiralty) appl of defts from judgt of Mr Justice Gorell Barnes, dated Dec 7, 1898 Feb 20

The Snark—1898—Folio 172 Adolph Kirsten v A & P Keen (Admiralty) appl of defts from judgt of Mr Justice Gorell Barnes, dated Jan 26, 1899 March 15

FROM THE QUEEN'S BENCH DIVISION.

(New Trial Paper.)

1898.

McKenna v Everden appln of W P C Everden for judgt or new trial on appl from verdict and judgt, dated March 14, 1898, at trial before Mr Justice Darling and common jury, Middlesex (security ordered) June 7 Smith & anr v Wiloughby appln of deft for judgt or new trial on appl from verdict & judgt, dated July 6, 1898, at trial before Mr Justice Grantham and special jury, Middlesex July 12

1899.

Magnolia Metal Co & ors v Sugden & ors appln of Atlas Metal Co for judgt or new trial on appl from verdict & judgt, dated Jan 19, 1899, at trial before Mr Justice Mathew and special jury, Middlesex (to be re-argued in Appeal Court II.) day to be fixed Jan 20

Same v Same appln of defts Watson & Brown for judgt or new trial on appl from verdict & judgt, dated Jan 19, 1899, at trial before Mr Justice Mathew & special jury, Middlesex (to be re-argued in Appeal Court II.) day to be fixed Jan 21

Naylor v Ellison appln of pltf for judgt or new trial on appl from verdict & judgt, dated Jan 19, 1899, at trial before Mr Justice Darling and special jury, Leeds Jan 26

Lill v London General Omnibus Co Id appln of pltf for judgt or new trial on appl from verdict and judgt, dated Jan 30, 1899, at trial before The Lord Chief Justice and special jury, Middlesex Feb 13

Hargreaves Berry appln of deft for judgt or new trial on appl from verdict & judgt, dated Jan 30, 1899, at trial before Mr Justice Day and special jury, Lancaster Feb 17

Haines v Peacock & ors (trading, &c) appln of pltf in person for judgt or new trial on appl from verdict & judgt, dated Feb 24, 1899, at trial before Mr Justice Bruce and common jury, Middlesex March 6

Yeatman v Harris & ors appln of pltf for judgt or new trial on appl from verdict & judgt, dated Feb 15, 1899, at trial before The Lord Chief Justice and special jury, Middlesex March 7

Nel v Taylor appln of deft for judgt or new trial on appl from verdict & judgt, dated Jan 18, 1899, at trial before Mr Justice Day and common jury, Appleby March 14

Morgan v Ward appln of pltf for judgt or new trial on appl from verdict & judgt, dated March 4, 1899, at trial before Mr Justice Bullock & common jury, Nottingham March 16

Richardson v Turnbull appln of deft for judgt or new trial on appl from verdict & judgt, dated March 8, 1899, at trial before Mr Justice Ridley & common jury March 18

Abrahams & ors v Griffiths & anr appln of defts for judgt or new trial on appl from verdict & judgt, dated Feb 24, 1899, at trial before Mr Justice Darling & special jury, Carnarvon March 20

HIGH COURT OF JUSTICE.
CHANCERY DIVISION.
HILARY Sittings, 1899.

Chancery Causes for Trial or Hearing.
(Set down to March 30, 1899, inclusive.)

Before Mr. Justice NORTH.
Causes for Trial (with witnesses).
The Liangollen Urban District Council v Beat act
Walcott v Walcott act
Arnold v Northamptonshire Union Bank ld act
Viditz v O'Hagan act
The Rhondda Valley Breweries Co ld v Morgan act (pleadings to be delivered)
Stoke Parish Council v Price act
Shaker-Rihan v Mokairesh act
Royon v Nutt act
Carne v Carne act
Speak v Speak act
Lord Gifford v Lord Fitzhardinge act
Bay v Myers act
Webster v Holden act
In re The Cooldardie Goldfields ld & Co's Acts (expte Hamilton) motion entered in Witness List
In re The Same (expte Fleming) motion entered in Witness List
Turner v Lane act
Poulton v Stoke act
Aktiebolaget Separator v Fram Dairy Machinery Co and Reck act (pleadings to be delivered)
Barclay v Mayor, &c of Wakefield act without pleadings
Cliperton v Wood act
Llandudno Urban District Council v Woods act
In re Town Tawn v Tawn adjd sums entered as witness action
The Skinningrove Iron Co ld v Maynard act and adjd sums
In re Maynard and Skinningrove Iron Co ld and V & P Act
Walker v The Skinningrove Iron Co ld act
A W Gamage ld v Beasley act (pleadings to be delivered)
Hart v Clough act
Cornwall v Henson act
Taylor v Styck act
Domleo v Trustee of T R Clifford, & act
Raby v Cox act
Masters v Paynter act
Wallis v Purkess act
The Pittsburgh Crusted Steel Co ld v Jacob Marx & Co act
Chamberlain v Chamberlain act
In re Solomon Lloyd v Selwyn act & 3 d party notice of deft
British Motor Co ld v Burgess Cycle Co ld act
In re Howes Chapman v Putland act
Austin v Pyne act
Swift v Walls act
Vonder Heydt v Dunlop act
In re Collyer Collyer v Collyer act
Attorney-General v Brown act
Call v Fabr act
Steel v Fellatt act
Hamson v Heapy act
Duke of Devonshire v Urban District Council of Buxton act
Lee v Lowe act
Aylward v Mortimore act
Wilkes v Wakeford act
Campbell v Gillespie act
Saccharin Corporation ld v Chemicals and Drug Co ld act
In re Smith Smith v Petersen act
McCrath v Miller act
Chatwood's Patent Safe, & Co ld v Mercantile Bank of Lancashire ld act
Hepworth v Pickles act
Winstanley v London Steam Omnibus Co ld act

Before Mr. Justice STIRLING.
Causes for Trial (with witnesses).
Maud v Salt, Sons & Co ld act (pleadings to be delivered)
Bankes Price v Owen act
Barker v Faulkner act pt ld (restored)
The Windermere Gas, &c, Co v Croftwaite act
Valentine Meat Juic Co v Valentine Extract Co, ld act without pleadings (advanced by order)
Carr & Co v Bath Gas Light & Coke Co act (advanced by order)
In re W Owen's Patent, No 12,368, & petn entered in Witness List (restored)
Peters v The Owen Stone Co ld act
Bovey v Day act
White v Briley act
Fowke v Haynes act
Russell v Clare Estate Syndicate ld act
Gisborne v Licensed Trade Protectorate ld act (Company in liquidation)
The Saccharin Corp ld v Fahberg act
Bebro v MacCullum act (deft bankrupt)
Kay v Jenkinson & Co act
Bayley v Lambert act
Craven v Clough act
British North Borneo, &c, Co, ld v Colmer act & m f j
Geake v Raphael counterclaim for trial set down by order
Harrison v Harrison act
Reay v Calvert act & m f j
Hood & Moore's Stores, ld v Jones act without pleadings
Universities of Oxford & Cambridge v Sell & Sons act
Furber v Mexican Finance Corp, ld act
Electric Construction Co, ld v Imperial Tramways Co, ld act (pleadings to be delivered)
Stubbins v Brake act
Attorney-Gen v People's Investment Co, ld act
Bassano v Bromet act (set down by order)
Hayden v Ward act & m f j
Hill v Wilson act (Bradford D R)
J & W Nicholson ld v Buchanan act
Owen v Ogilvie act
Law v Spiers & Pond ld act
Same v Same act (transferred from Q B Division)
Noakes v Corke act
Norris v Grainger act
Attorney-Gen v Guardians of Poor of Bedwelly Union act
Cook v Loxton act
Taylor & Son v Fell act
North v Akeroyd act & counterclaim
Pearson v Blamires act
Day v Atkey act
Tullis v MacIntosh, Meikle, & Co, ld act
Bellamy v Richardson act
Poyle Mills Co, ld v Wiggins act
Reeves v Parmer act (pleadings to be delivered)
Ruston v Sherras act
Tindal v Spitzel act
Summers v Summers act
In re Salmon Smith v Towersey act
Beddington v Diechmann act
Gough v Bristol & West of England Brick Co, ld act
Moyses v Barraud act
Before Mr. Justice KEKEWICH.
Causes for Trial (with witnesses).
Charman v Brandon act
Brandon's Putney Brewery ld v Charman act
James v The Globe Cashier (British & Foreign) ld act
Parry v Enoch act
Gosney v Fewkes act
Watkins v Cronmire act without pleadings and adj. summs in "Cronmire v Cronmire"
Lyell v Broderick act
Bastard v Bastard act (restored)
Prideaux v Prideaux act (Trinity sittings)
Hubboc & Sons ld v Brown, Sons & Co act
Daly v Edwards act (pleadings to be delivered)
F Warr & Co ld v Edwards act (pleadings to be delivered)
Wilson v Kay act (Sheffield D R)
Farrer v Walshe act
Vestry of St Mary, Islington v Hornsey Urban District Council act
Oppert v Cochrane act without pleadings
Payton & Co ld v Titus Ward & Co act (April 20, after first five acts)
Wemyss v Wemyss act
Fletcher v Horsfield act
Pearce v Bromley, Son & Kelday act
Matthews v Draycott act
In re Coningham Bulkeley v Browning act
Browne v Thorley act
Starling v Shorthouse act
Westwood & Winby v South Eastern Metropolitan Tramways Co Pannell v Same act
Newman v Maxwell act
Foxwell v Annand act
Green v Hawker act
Disney v Barron act
Caton v Schneider & Co act
Caton v Deathridge act
Kemble v Davis act
Reilly v Richardson act
Dundas v Wilson act
Hickman v The Sykes & Cutler Reconstruction Syndicate ld act & two 3rd party notices of G. H. Phillips & ors
Rolls v Bailey act & m f j
Bradshaw v Anderson act & counterclaim
Healy v Bird act
Allen v Gold Reefs of West Africa Same v Same act consolidated
Aurum v Webb act (Bristol D R)
Civil Service Musical Instrument Asoc ld v Whiteman act
Thomas v Ronaldson act
Lloyd v Lefevre act
Lambert v Kellett act
Pile v The Absolute Life Asso Co ld act
The Institute of Sanitary Engineers v Wilkinson act
Guest v Guest act
Birch v McFarlane act
Beavis v Dunk act
Prior v Sugg act
Box v Wechsler act
Barclay v Morell act
H J Didecott, ld v Sturgess act
Johnson v North British Rubber Co, ld act
Hollinghurst (trading, &c) v Levy Bros & Knowles, ld act & counterclaim
Fowler v Thomas act
Rucker v London Electric Supply Corp, ld act
Winton v Wright act
Jennings v Charnock act
In re Lord Berwick Lord Berwick v Lane act
The Building Societies Shareholders Assoc, ld v Smee act
Before Mr. Justice WRIGHT.
(Sitting as an additional Judge of the Chancery Division.)
Motions.
Companies (Winding-up).
W Brock & Son, ld (transfer proceedings) s o generally
London & General Bank, ld (to compel attendance of witness) s o generally
London & West of England Contract Co, ld (leave to issue writ of attachment) s o generally
Colonial Debenture Corp, ld (vary order refusing public examn)
Ormonde Gymnastic Club, ld (for leave to issue writ of attachment) s o generally
Southern Counties Deposit Bank, ld (to appoint liquidator)
International Commercial Co, ld (for committal) s o generally
London & General Bank, ld (committal)
Veuve Monnier et ses Fils, ld (to enforce delivery of accounts)
Coverack Stone & Syenitic Paving Co ld (for relief under Co's Act, 1898)

Chancery Division.
Black v Williams & Victoria Steam-boat Assoc, ld (delivery up of possession) s o generally

Companies (Winding-up).
Petitions.
(N.B.—The Petitions Nos. 1 to 30, inclusive, are all standing over with liberty to restore)
Joseph Bull, Sons, & Co, ld (petn of M T Shaw & Co)
Glamorgan Central Permanent Benefit Building Soc (petn of the Co)
Industrial Securities Investment Co, ld (petn of E A Hamblin)
Bidasca Ky & Mines, ld (petn of F Thorne)
Woolley Coal Co, 11 (petn of Yorkshire Banking Co, ld)
Dawe & Co ld (petn of A Witchurch)
Eastern Counties Bacon Factory ld (petn of Lalar and Kundersley)
Otis Steel Co ld (petn of L Ralton)
G & S Bracknell ld (petn of The Continental Bottle Co)
South Kent Water Co (petn of J. Oakes & Co)
Pontypridd Improvement Co, ld (petn of P J Dunn & ors)
Gold Reefs of Western Australia ld (petn of G E D Darnford)
North Borneo Prospecting & Cultivation Syndicate ld (petn of W P R Newlands)
Globe Blocks Mining Co ld (scheme of arrangement) (petn of C J Faure and The South African and Australian Exploration and Development Syndicate, ld)
London & Paris Finance & Exploration Co, ld (petn of Reservoir Hub & Components Co, ld)
Wheel Club, ld (petn of H J Grimwade) s o generally
South Australian Petroleum Fields, ld (petn of J Senior) s o generally
Cooldardie Mint & Iron King Gold Mines, ld (petn of A Watters) s o generally
Transvaal Exploring Co, ld (petn of T. Baines) s o generally
Barberton Reefs, ld (petn of L. P. Bowler)
Teify Vale Mining Co, ld (petn of M H Davis & Sons)
London & County Newspaper Syndicate, ld (petn of L Spackman & Son)
Industrial Inventions Development Co, ld (petn of A J Hill & anr)

Before Mr. Justice BYRNE.
Causes for Trial (with witnesses).
Brady v Hannan's Gold Estates 1d
act
Duke v Bayly act (Trinity Sittings)
Hoffnung & Co v Salsbury act
Oyler v Briants act (Trinity
sittings)
Morse v Lamb Brewery 1d act
Mayor, &c. of Weymouth (Urban
District Council) Andrews act
(heard by Mr. Justice Cozens-
Hardy—Trinity Sittings)
Same (Town Council) v Same act
(heard by Mr. Justice Cozens-
Hardy—Trinity Sittings)
The Transvaal Exploring Co 1d v
The Albion (Transvaal) Gold
Mines 1d act
Marindin v Hans Crescent Hotel Co
1d act (not before July 1)
Hancock v Hailey act (pleadings
to be delivered)
Brown v Bartlett act & counter-
claim
Henderson v Paris act
In re The Roxburgh Press, 1d
Bowman v Roxburgh Press, 1d
act
Manchester Cycle, &c. Co, 1d v
Fisher act & counterclaim
(security for costs ordered)
Fabriques de Produits de Thaun,
&c. v The Anglo-Colonial Chemical
Co, 1d act
White v Duckworth & Co act
(pleadings to be delivered)
Frampton v Snelus act
Law v Romans act
In re Menzies 1d (expte H S Foster
& Co's Acts) motion entered in
Witness List
The Granville Colliery Co 1d v
Coalminers' Co-operative, &c 1d
act (pleadings to be delivered).
Edwards v Weigall motion entered
in Witness List
Mostyn v Atherton act
Equitable Fire & Accident Office
1d v de Winton act (Manchester
D R—heard for Mr Justice
Cozens-Hardy)
Ecclesiastical Commissioners for
England v Pinney act remitted
to Chancery Division for trial
(heard for Mr Justice Cozens-
Hardy)
Lord Tredegar v Jennings act
Cooper v Met Electric Supply Co,
1d act
In re Chatwood's Patent, No 4,100,
&c. peta entered in Witness List
Bromley v Ashley act
Seymour v Hancock act
Durrant v Jackson act without
pleadings
Attorney-General v Great Central Ry
Co act
Arnold & Sons 1d v Garland act
In re Hinton Goodman v Brock
adjd sums (ordered to go into
Witness List)
Purrott v Palmer act
Smith v Paine act
Knollys v Kent Coal Finance, &c
1d act & counterclaim
Papillon v Hutchinson act
Frost v Lewis act
In re T Morton's Registered Design
No 268,635, &c and Patents, &c
Acts motion entered in Witness
List
Davies v Thomas act
Earle v Smith act
In re Palmaro Mining Co 1d
Bruce v Palmaro, &c Co 1d act
Schofield v Lewis
Lascelles v Freeman In re Ward
Freeman v Lascelles act &
counterclaim
White v Gingell act
Kenrick v Mountstevens act
Bateman v Cooper act

Before Mr. Justice COZENS-HARDY.
Causes for Trial (with witnesses).
In re Ehrhardt's Patent, No 3,116
of 1891 peta entered in Witness
List by order dated July 10, 1897
Warren v Invicta Patent Brick
Manufacturing Co, 1d act (Trinity
sittings)
Matthews v Wilmer act (pleadings
to be delivered)
Abbs v Matheson & Co act for
trial against debts Matheson & Co
(Trinity sittings)
In re Crompton & Shawcross 1d &
Co's Act (Expte E G Ratcliffe)
motion to rectify set down in
Witness List by order dated March
18, 1898
Wells v Schofield act (so until
after sums disposed of)
Goldstone v The Williams, Deacon
& Manchester and Salford Bank
1d act (Liverpool D R)
Transferred by Order, dated Feb
14, 1898.
Fache v Whetham act (not before
May 10)
Bartholomew v London, Tilbury &
Southend Ry Co act (not before
May 1)
Barron v Willis act and notice,
dated Feb 23, 1899, by pltf, &c
(not before April 21)
National Co for the Distribution
of Electricity by Secondary
Generators v Gibbs act &
counterclaim (after part heard on
April 17)
Gregory v Mayor, &c. of Coventry
(not before April 18)
Bruce v Harris act (not before
April 18)
McFarlane v Hulton & Co act
Bradford Third Equitable Benefit
Building Soc v Finch act
Dunlop Pneumatic Tyre Co 1d v
Non-Collapsible Tyre Co 1d act
Birmingham Vinegar Brewery Co
(1897) 1d v Cambridge 1d act
(Trinity sittings)
Restell v Case & Co act
Brown v The Dunstable Corpns act
(not before May 2)
Lea v Whittham act
Southend Hotel Co 1d v Scrutton
act
Poppleton v Bowden act (not before
April 15)
Law v The Gordon Hotels Co 1d act
Jones v Francis act
Dunlop Pneumatic Tyre Co 1d v
Jewel Pneumatic Tyre Co 1d act
(not before April 25)
Rogers v The Nottingham Plating
Co act
Wallace v Evershed act & m f j
Sladen v Evershed act & m f j
Lord Monson v Inglis act (pleadings
to be delivered)
London & County Land & Building
Soc 1d v The Urban District
Council of Finchley act and
counterclaim
In re Bennett Bennett v Bennett
adjd sums, entered in Witness List
Withall v Burton act & counter-
claim
Hubbard v Bland act
Norman v Willetts act
North's Navigation Collieries (1889),
1d v Cory act set down by order
(pleadings to be delivered)
Bruce v Lowenfeld act
In re Applications Nos. 189,180,
189,181, & 189,182 of Messrs T
Kingsford & Sons, &c, & Oppositi-
on thereto Nos. 2,579, 2,580, &
2,581 of the National Starch
Manufacturing Co, &c motion
entered in Witness List by order,
dated August 5, 1898
The whole of the above lists to be
continued.

THE PROPERTY MART.

SALES OF THE ENSUING WEEK.

April 18.—Messrs. DAVID BURNETT & Co, at the Mart, at 2, Six Residences in Tottenham,
near Bruce-grove Station; let at £20 each. Freehold Ground-rents of £36 per annum,
secured upon 1 to 4, Knowle-villas, Hornsey; £21 10s. per annum, secured upon three
private residences in Tottenham. An old-fashioned Residence, The Limes, Stamford
Hill, with grounds of about 1½ acre, well timbered, within five miles of the City; with
possession. Residence, No. 5, Amhurst-park, Stamford Hill; lease 70 years; ground-
rent £11; possession June 24. Solicitors, Messrs. Mills, Lockyer, & Mills, London.—
Weekly Property at Hammersmith. Ten Dwelling-houses, close to station, producing
£312 per annum; lease 70 years. Solicitors, Messrs. Mullens & Bosanquet, London.
(See advertisements, March 18, p. 840.)

April 18.—Messrs. DEBENHAM, TEWSON, FARMER, & BRIDGEWATER, at the Mart, at 2,
Important Freehold Premises in King-street, Regent-street, let on lease for 21 years
at £460 per annum. Solicitors, Messrs. Frank Richardson & Sadler, London. (See
advertisement, March 25, p. 5.)

April 19.—Messrs. H. E. FOSTER & CRANFIELD, at the Mart, at 2, Small Freehold Estate
at New Barnet, comprising Six Residences, all situated close to New Barnet Station
(G.N.R.), producing £169 per annum. Solicitors, Messrs. Ricketts & Co., London.
(See advertisement, this week, back page.)

April 19.—Messrs. EDWARD FRY & BOURSFIELD at the Mart, at 2: New Bond-street, Nos. 10
and 10A. Corporation Lease of the Block of Business Premises on the east side; let
at £790 per annum. Solicitors, Messrs. Waterhouse, Winterbotham, Harrison, &
Harper, London.—Oxford-circus, Messrs. Waterhouse, Winterbotham, Harrison, &
Harper, London.—Oxford-circus, held for 57 years unexpired; ground-rent £560 per
annum; with possession. Solicitors, Messrs. Richards & Nightingale, London.—
City of London: Freehold Professional and Commercial Premises, No. 35, Moorgate-
street; let for a term expiring in 1916, at ground-rent of £33 per annum, reversion at
£460. Solicitors, Messrs. Hores, Pattison, & Bathurst, London.—Brixton: Short
Leasehold Investments, for terms of 24 and 5 years, net profit rents amounting to
£944 10s. 4d. Solicitors, Messrs. Murray, Hutchinson, Stirling, & Murray, London.
(See advertisement, April 8, p. 3.)

April 19.—Mr. JOSEPH STOWE, at the Mart, at 2: Battersea: Dwelling-house, No. 93,
Park-road, close to Battersea-park; let on agreement at £45 per annum; held for
about 18½ years, at £23 10s. per annum. Solicitors, Messrs. Burchell & Co.,
London.—193, The Grove, Camberwell: A very attractive Freehold Property,
near Denmark-hill Station, comprising [old-fashioned detached Residence; let
until Lady Day, 1901, at £63 per annum. Solicitors, Messrs. Dawson, Bennett,
& Ryde, London.—St. Leonards and Bexhill-on-Sea: Freehold and long Lease-
hold Shop and House Property in well-established positions in these favoured
South Coast resorts; let to excellent tenants at moderate rents amounting to
£368 per annum, and affording improving investments. For sale, in Five Lots.
Solicitors, Messrs. F. Wickings Smith & Son, London. (See advertisements,
March 25, p. 5.)

April 20.—Messrs. H. E. FOSTER & CRANFIELD, at the Mart, at 2:

REVERSIIONS:
To One-fifth of £4,611; unmarried gentleman aged 54, provided he die without
leaving a widow or issue. Also to One-fifth of £11,140, on decease without
issue, of a gentleman aged 51, and his wife aged 35.
To £2,000: gentleman aged 67, and lady aged 65. Also to £2,000; lady aged 65.
Solicitors, Messrs. Colyer & Colyer, London.
To One-seventh of Freehold Ground-rents of £140 10s. p. a., secured on property
in Old Kent-road, S.E.; early reversion to rack-rents of £1,200 p. a. Also,
One-seventh of £4,991 10s. 6d 2½ per cent. Consols; lady aged 74. Solicitors,
Messrs. Godwin & Chater, London.
To a Trust Fund, represented by £1,528 2½ per cent. Consols; lady aged 46.
To One-half of £1,528 2½ per cent. Consols; lady aged 49. Solicitors, Messrs.
Briggs, Clifford, & Pinder, Derby.
To a Moiety of a Trust Fund of the value of £5,150, represented by Tramway
Shares, &c., in the event of a gentleman, 24, attaining 25. Also the remaining
Moiety if the Reversioner attains the age of 25, and his brother, 23, dies
under 25 years of age, with policies. Solicitor, E. Elvy Robb, Esq., Tun-
bridge Wells.
To One-third of One-seventh of a Trust Estate, represented by £15,425 India 3½
per cent. Stock; three lives, aged 84, 59, and 62. Also to One-third of
£4,270 4d. India 3½ per cent. Stock; two lives, aged 59 and 62. Solicitor,
J. T. Chapple, Esq., London.
To £1,800 Margate Waterworks Stock, producing £69 10s. per annum; lady aged
61. Solicitors, Messrs. Phelps, Sidgwick, & Biddle, London.
To One-twelfth of Trust Estate, represented by Consols and Mortgage, value
£11,000; gentleman aged 65, provided gentleman aged 30 survive him.
Solicitor, H. Mear, Esq., London.

LIFE INTERESTS:

Of a lady aged 54, represented by Consols, &c., producing £53 per annum,
with policy. Solicitors, Messrs. Godfrey & Robertson, London.
Of a gentleman, aged 51, of £17 per annum, with policies. Solicitors, Messrs.
Briggs, Clifford, & Pinder, Derby.

REVERSIONARY LIFE INTEREST:

Of a gentleman aged 44 in a Moiety of a Trust Fund, producing £63 p. a.; lady
aged 66; with policy. Solicitors, Messrs. Godfrey & Robertson, London.

BOX in the Duke of York's Theatre, seating four persons. Solicitors, Messrs.
Wilkinson, Howitt, & Wilkinson, London.

POLICIES:

For £2,000, £2,000, £1,000, £500, £245, £250. Solicitors, Messrs. Boulton, Sons, &
Sandeman, Messrs. Cameron, Kemm, & Co., Messrs. Briggs, Clifford, &
Pinder, all of London; and Messrs. Sedgefield & Prys, Abingdon.

SHARES, &c., in various companies. Solicitors, Messrs. B. & F. Tolhurst & Cox,
Southend-on-Sea
(See advertisements, this week, back page.)

RESULT OF SALE.

On Thursday, at the Mart, Messrs. C. C. & T. Moore sold the "Red Lion" Beerhouse,
Camberwell New-road, and three Freehold Shops adjoining; No. 9, Gray's-inn-passage;
eight Freehold Cottages in Lingham-street, Stockwell; nine Leasold, Furze-street,
Bromley-by-Bow; and the "One Tun," Great Saffron-hill. Result, £12,930.

WINDING UP NOTICES.

London Gazette.—FRIDAY, April 7.

JOINT STOCK COMPANIES.

LIMITED IN CHANCERY.

BARTON COURT ESTATE CO, LIMITED.—Creditors are required, on or before 18th May, to
send their names and addresses, and the particulars of their debts and claims, to Mr
Charles Basil Heygate, 2, Cockspur st., Wyles, Stone bldgs, solicitor to the liquidator.

BAZILIAN STREET RAILWAY CO, LIMITED.—Petition for winding up, presented April 5,
directed to be heard April 19. Blyth & Co, 112, Gresham House, Old Broad st., solicitors for
petitioner. Notice of appearing must reach the above-named not later than 6 o'clock in the
afternoon of April 18.

COVENTRY CROSS CYCLE CO, LIMITED.—Petition for winding up, presented April 5, directed
to be heard April 19. A. H. Arnold & Son, 10, New st., Lincoln's Inn, agents for H.
Maddicks, Coventry, for petitioners. Notice of appearing must reach the above-
named not later than 6 o'clock in the afternoon of April 18.

EASTER GIFT PROPRIETARY GOLD MINES, LIMITED.—Petition for winding up, presented

April 5, directed to be heard April 19. Foss & Ledaam, 5, Fenchurch st, partners in person. Notice of appearing must reach the above-named not later than 6 o'clock in the afternoon of April 18.

SEARCH SYNDICATE, LIMITED (IN LIQUIDATION)—Creditors are required, on or before May 20, to send their names and addresses, and the particulars of their debts or claims, to G. G. Walker, 19, St Swithin's lane.

UNLIMITED IN CHANCERY.

TODMORDEN WATERWORKS CO—Creditors are required, on or before May 11, to send their names and addresses, and the particulars of their debts or claims, to John Stothert Littlewood and Joseph Radcliffe, Craven, Todmorden, solos for liquidators.

London Gazette.—TUESDAY, April 11.

JOINT STOCK COMPANIES.

LIMITED IN CHANCERY.

BELL BROTHERS, LIMITED—Creditors are required, on or before May 15, to send their names and addresses, and the particulars of their debts or claims, to Hugh Bell, Middlesbrough, Munns & Longden, Old Jewry, solos for liquidators.

BRITANNIA HOTEL (BLACKPOOL), LIMITED—Creditors are required, on or before Monday, May 29, to send their names and addresses, and the particulars of their debts or claims, to John Hitchen, 6, Lytham st, Blackpool. Ascroft, Blackpool, solos for liquidator.

BRITISH COLUMBIAN EXPLOITATION AND GOLD ESTATES, LIMITED—Pet for winding up presented April 10, directed to be heard April 19. Trynham, Poultry Chambers, Poultry, solos for pet. Notice of appearing must reach the above-named not later than six o'clock on the afternoon of April 18.

CAERPHILLY GAS LIGHT AND COKE AND WATERWORKS CO, LIMITED—Creditors are required, on or before May 10, to send their names and addresses, together with full particulars of their debts or claims, to David Morgan and Charles Stuart Goodfellow, 28, Cardiff road, Caerphilly.

COMPANIES GUARDIAN SOCIETY, LIMITED—Pet for winding up, presented April 6, directed to be heard on April 19. Van Sandau & Co, 13, King st, Cheapside, solos for pet. Notice of appearing must reach the above-named not later than 6 o'clock in the afternoon of April 18.

DIORITE KING GOLD MINES (W.A.), LIMITED—Creditors are required, on or before May 24, to send their names and addresses, and the particulars of their debts or claims, to W. Cecil Stronge, Winchester House, Old Broad st.

ENGLISH EXPLORATION CO, LIMITED—Creditors residing in Europe are required, on or before May 16, and creditors elsewhere before August 1, to send their names and addresses, and the particulars of their debts or claims, to Adolphus Orchard Chudleigh, 54, Old Broad st, Debenham & Walker, Gresham bldgs, Basinghall st, solos for liquidator.

EXCLISIION STONE SYNDICATE, LIMITED—Creditors are required, on or before May 12, to send in their names and addresses, and particulars of their debts or claims, to Charles A. Underwood, 139, Cannon st.

FOREST CREEK (VICTORIA) GOLD REEFS, LIMITED—Creditors are required, on or before May 27, to send their names and addresses, and the particulars of their debts or claims, to Dr. G. Lumden, 153-155, Leadenhall st, Renshaw & Co, Suffolk lane, solos for liquidator.

MIDDLESEX GOLD MINES (W.A.), LIMITED—Creditors are required, on or before May 24, to send their names and addresses, and the particulars of their debts or claims, to W. Cecil Stronge, Winchester House, Old Broad st.

NEW ZEALAND REWARD SYNDICATE, LIMITED—Creditors are required, on or before July 11, to send their names and addresses, and the particulars of their debts or claims, to Charles Jernyn Ford, 91, Cannon st.

RICHMOND ROLLING MILLS, LIMITED—Creditors are required, on or before May 10, to send their names and addresses, and the particulars of their debts or claims, to Francis McBain, Royal Exchange, Middlesbrough.

SAN FRANCISCO BREWERS, LIMITED—Pet for winding up, presented April 7, directed to be heard April 19. Phelps & Co, 22, Aldermanbury, solos for pet. Notice of appearing must reach the above-named not later than 6 o'clock in the afternoon of April 18.

FRIENDLY SOCIETIES DISSOLVED.

ALEXANDRA SICK BENEFIT SOCIETY, 147, Whitechapel rd East, April 4
PEMDURY AGRICULTURAL CREDIT SOCIETY, Hill View rd, Pembury, Kent, April 4
SHEPHERD'S RETREAT LODGE, LOYAL ORDER OF ANCIENT SHEPHERDS, ASHTON UNITY, Holme Bridge, York, March 21

BANKRUPTCY NOTICES.

London Gazette.—FRIDAY, April 7.

RECEIVING ORDERS.

BARRETT, FRANK ANDREW, Bridgnorth, Salop Stockton on Tees Pet March 30 Ord March 30

BICKNELL, THOMAS, Birmingham, Builder Birmingham Pet April 5 Ord April 5

BROWN, TIMOTHY, Gt Queen st, Fruiter Salesman High Court Pet April 5 Ord April 5

EMERY, THOMAS, Ebbw Vale, Mon, Greengrocer Tredegar Pet April 5 Ord April 5

GIBSON, THOMAS, Clapham, Contractor High Court Pet March 30 Ord March 30

HINKS, JAMES HENRY, Worcester, Painter Worcester Pet April 5 Ord April 5

HOWARTH, SAMUEL LEWIS, Oldham, Chemist Oldham Pet March 28 Ord March 28

JUDD, WILLIAM JAMES, Woolston, Southampton Southampton Pet April 5 Ord April 5

KAY, DANIEL, Rochdale Rochdale Pet April 5 Ord April 5

KINGSMAN, THOMAS LEIGH, Stanhope st, Clare Market, Publican High Court Pet March 20 Ord April 5

LAKEMAN, F, Whitstable, Watchmaker High Court Pet Feb 15 Ord April 5

LEHMAN, THOMAS, Upton, Cheshire, Licensed Victualler Birkenhead Pet April 5 Ord April 5

OTLEY, FREDERICK, Wrexham, Licensed Victualler Wrexham Pet March 30 Ord March 30

PILKINGTON, H L, Piccadilly High Court Pet Jan 5 Ord April 5

QUAYLE, CHARLES FREDERICK, Liverpool, Commission Agent Liverpool Pet April 5 Ord April 5

RICH, ALFRED, Tunbridge Wells, Tailor Tunbridge Wells Pet April 5 Ord April 5

RIDLEY, JOSEPH THOMAS, East Ham, Essex, Butcher High Court Pet April 5 Ord April 5

SHEARSMITH, EDWIN, Wistow, nr Selby, Potato Dealer York Pet April 4 Ord April 4

SLADE, WILLIAM GEORGE, CHARLES FRANK SLADE, and JAMES HENRY SLADE, West Cowes, I W, Butchers Newport Pet March 20 Ord April 5

SOLOMON, GEORGE, and RACHEL SOLOMON, Hackney-road, Show Card Manufacturers High Court Pet March 13 Ord March 20

SUTCLIFFE, ALFRED, Blackpool, Ironmonger Preston Pet April 5 Ord April 5

WALSH, FREDERICK RICHARD, Kilburn, Tailor High Court Pet April 5 Ord April 5

WALTON, ALFRED WILLIAM, Queniborough, Leicester, Grazier Leicester Pet April 5 Ord April 5

WATKIN, WILLIAM, Bayswater, Engineer High Court Pet Feb 22 Ord March 30

ZULKA SPHINX STAMATI, Gracechurch st, Merchant High Court Pet March 3 Ord March 30

FIRST MEETINGS.

ARTHORP, EDWARD JOHN, Love lane, Licensed Victualler April 14 at 2 30 Bankruptcy bldgs, Carey st

AUSTEN, H E, Camberwell, Builder April 17 at 12 Bankruptcy bldgs, Carey st

BAKER, HERBERT BLOOMFIELD, Fenchurch st, Tea Broker April 14 and 12 Bankruptcy bldgs, Carey st

BISHOP, ARTHUR, Coleridge, Leicesters, General Dealer April 19 at 11.15 Midland Hotel, Station st, Burton on Trent

BROWN, GEORGE HOLLAND, Camberwell New rd, Engineer April 17 at 11 Bankruptcy bldgs, Carey st

BURLISON, ROBERT, Bishop Auckland, Durham, Joiner April 14 at 3 Talbot Hotel, Market pl, Bishop Auckland

CHESTER, HENRY, Nottingham, Puncher April 14 at 12 Off Rec, 4, Castle pl, Park st, Nottingham

CLOAKE, HENRY THOMAS, jun, Cardiff, Shipowner April 14 at 3 117, St Mary st, Cardiff

COOPER, ELIZABETH, Stourbridge April 14 at 12 1, St. Alkate's, Oxford

D'ALCORN, HENRY, Wyb st, Strand, Music Publisher April 17 at 2.30 Bankruptcy bldgs, Carey st

DIBBLE, WILLIAM SOLOMON, Charlotte st, Fitzroy sq, Licensed Victualler April 14 at 11 Bankruptcy bldgs, Carey st

DORRISON, GEORGE EDWARD, Stockton on Tees April 19 at 3 Off Rec, 8, Albert rd, Middlesbrough

EDWARDS, WILLIAM, Pantoymen, Grocer April 15 at 10 117, St. Mary st, Cardiff

FISHWICK, JOHN, West Holbeck, Leeds, General Dealer April 17 at 11 Off Rec, 29, Park row, Leeds

GIBSON, STANLEY HERRING, Ludgate hill, Public house Manager April 14 at 2.30 Bankruptcy bldgs, Carey st

GOWING, GEORGE JAMES, Great Yarmouth, Cab Driver April 15 at 12.30 Off Rec, 8, King st, Norwich

HAY, WILLIAM, Blackpool, Tailor April 14 at 3 Off Rec, 11, Byron st, Manchester

CREDITORS' NOTICES.

UNDER 22 & 23 VICT. CAP. 35.

LAST DAY OF CLAIM.

London Gazette.—TUESDAY, March 21.

ACKROYD, ELIZA FRANCES, Halifax April 29 Longbotham & Sons, Halifax

ACKROYD, MARIA, Halifax April 29 Longbotham & Sons, Halifax

ALLEN, SARAH, Southampton May 7 Emanuel, Southampton

ALLEN, WILLIAM CHARLES, Hoxton April 20 Godlard, St Michael's alley, Cornhill

BAILEY, JOHN WINDSOR, Booth, Lancs May 1 Baldwin & Co, Clitheroe

BANKES, WILLIAM, Acton, Chester May 2 Burton, Runcorn

BEALES, ROBERT, Cambridge May 1 Burrows, Cambridge

BIRCH, LAURA, Cheltenham April 25 Tiehurst & Sons, Cheltenham

CROSFIELD, JOHN HATTERSLEY, Gorton, Lancs, Stone Merchant April 18 Crofton & Co, Manchester

DAVIES, HENRY, Kingston upon Thames, Wholesale Confectioner April 17 Chadilton & Baker, Kingston upon Thames

DUCKWORTH, JAMES, Poulton le Fylde, Lancs, Mining Engineer May 8 Bullock & Co, Manchester

HARRISON, JOHN BASSETT, West Kensington May 1 Matthews, Liaco's inn fields

HARTLEY, JOHN, Lancaster, Joiner April 13 Hall & Co, Lancaster

HEATHER, HENRY GEORGE, Paternoster row, Solicitor May 1 Fiske, Norfolk st, Strand

HILL, JAMES, Stockton on Tees May 1 Hunton & Watson, Stockton on Tees

JOHNSON, WILLIAM, Islington April 17 Barber & Son, St Swithin's ln

JOSEY, CHARLES, Aldworth, Berks April 15 Beale & Martin, Reading

LEE, WILLIAM, Hoveringham, Nottingham, Miller April 19 J W & G E Kirkland, Southwell, Notts

LONG, SAMUEL, Plaistow April 30 Hyde & Co, Portsmouth

MANNING, MARIA LOUISA, Redlynch, nr Salisbury, Wilts April 15 Fulton & Pye-Smith, Salisbury

MATTERSON, ELIZABETH, Leeds April 15 Ford & Warren, Leeds

MILES, SIR CECIL LEOPOLD, Bart, Leigh Court, nr Bristol May 31 Williams & James, Norfolk House, Thame Embankment

MILLER, ALEXANDER COCHRANE, Wood, Rotherhithe April 30 Croft & Mortimer, Cokemar

MEADS, SELINA, Beeston, Nottingham April 21 Wells & Hind, Nottingham

MOSS, SAMUEL GLOVER, Fudsey, York April 16 Newell, Bradford

MYERS, HENRY JOHN, Fulham April 29 Walter, Chancery In

RANKEN, PETER, Clapham April 25 Brown & Co, Abingdon st, Westminster

RIMMER, JOHN, Southport, Carter May 31 Mawdsley, Southport

ROBERTS, MARY, Kirkheaton, nr Huddersfield April 22 Welsh, Huddersfield

SENIOR, WILLIAM HERBERT, Bridlington Quay, York, Brickmaker April 5 Walker & Colbeck, Hull

SMITH, ELIZABETH, Bury, Lancs April 29 Brown, Bury

SOUTHERN, WILLIAM, Walkden, Lancs, Glass Bottle Manufacturer May 15 Sale & Co, Manchester

SUTHERLAND, THOMAS, Old Trafford, Manchester, Agent May 8 Bullock & Co, Manchester

TRUeman, WILLIAM HENRY, Nottingham, Wine Merchant April 24 Eking & Wayles Nottingham

TUCKER, RICHARD, Acton April 18 Foy & Co, New cross rd

TULEY, REBECCA, Teddington April 19 Darley & Cumberland, John st, Bedford row

WALTON, JOHN, Stroud Green May 1 McDermid & Hill, Newman's et, Cornwall

WELCH, JOSEPH JAMES, Hulme, Manchester April 20 Lea, Manchester

WORSLEY, JOSEPH HENRY, Manchester, Manufacturer April 3 Sidebotham & Sidebotham Manchester

HINKS, JAMES HENRY, Worcester, Painter April 19 at 11 Off Rec, 45, Copenhagen st, Worcester

HUGES, DAVID JOHN, Maesteg, Glam, Grocer April 15 at 9.32 117, St Mary st, Cardiff

HUGHES, THOMAS, Heddington, nr Calne, Wiltts, Farmer April 19 at 11.15 Off Rec, 46, Cricklade st, Swindon

HYNES, JOHN HENRY, Huddersfield, Fish Dealer April 17 at 11 Off Rec, 19, John William st, Huddersfield

JORDERS, MOSSE, Willenhall, Staffs, Organ Builder April 17 at 11 Off Rec, Wolverhampton

LAWSON, ALEXANDER RILEY, Barry, Glam, Grocer April 14 at 12 117, St Mary st, Cardiff

LOWE, CHARLES LAURENCE, Camden rd, Pantomist April 14 at 12 Bankruptcy bldgs, Carey st

NOEL, THOROLPH, Fulham, Laundryman April 14 at 11 Bankruptcy bldgs, Carey st

PALK-GRIFFIN, SAMUEL NATHANIEL RICHARD, Padstow, Cornwall, Surgeon April 17 at 12 Off Rec, Boscombe street, Truro

PEACOCK, RICHARD, Middlesbrough, Debt Collector April 19 at 3 Off Rec, Albert road, Middlesbrough

PENNY, JEREMIAH, Weston super Mare April 14 at 2 Off Rec, 58, Hammet st, Taunton

PEREGRINE, BENJAMIN, Llandilo, Grocer April 15 at 12.15 Off Rec, 4, Queen st, Carmarthen

PICKERING, WILLIAM, Gainsborough, Innkeeper April 15 at 12 Off Rec, 21, Silver st, Lincoln

PLUMMER, WILLIAM, Paternoster row, Publisher April 17 at 12 Bankruptcy bldgs, Carey st

POTTS, JOSEPH, Whitley, Northumberland, Labourer April 17 at 11.30 Off Rec, Mosley chmrs, Newcastle on Tyne

REY, JOHN ALBERT, Great Yarmouth, Baker April 15 at 12 Off Rec, 8, King st, Norwich

ROADHOUSE, CHARLES HENRY, Sheffield, Tailor April 18 at 2.30 Off Rec, Figtree lane, Sheffield

ROBINSON, JOSEPH, Sheffield, Builder April 18 at 2 Off Rec, Figtree lane, Sheffield

SHAW, FRANCIS, Burton on Trent, Brewer's Labourer April 19 at 11.45 Midland Hotel, Station st, Burton on Trent

SHREWSMITH, EDWIN, Wistow, Selby, Potato Dealer April 19 at 12.15 Off Rec, 28, Stonegate, York

WEBER, GEORGE, Clayton, Suffolk, Miller April 21 at 2 Off Rec, 36, Princes st, Ipswich

WHARSTON, JOHN, Darlington, Grocer April 19 at 3 Off Rec, 8, Albert rd, Middlesbrough

WHEELER, ALBERT ISAAC, Swindon, Wilts, Newsagent April 19 at 10.45 Off Foe, 48, Cricklade st, Swindon
WILLETT, JAMES FREDERICK, Goswell rd April 17 at 2.30
Bankruptcy bldgs, Carey st

ADJUDICATIONS.

BARRETT, FRANK ANDREW, Leeds Stockton on Tees Pet March 30 Ord March 30
BEYAN, GEORGE ALFRED, Chiswick, Hire Trader Brentford Pet March 11 Ord March 30
EMERY, THOMAS, Ebbw Vale, Mon, Greengrocer Tredegar Pet April 5 Ord April 5
LINKS, JAMES HENRY, Worcester, Painter Worcester Pet April 5 Ord April 5
JUDD, WILLIAM JAMES, Woolston, Southampton Southampton Pet April 5 Ord April 5
KAY, DANIEL, Rochdale, Music Dealer Rochdale Pet April 5 Ord April 5
LEEMAN, THOMAS, Upton, Cheshire, Licensed Victualler Birkhead Pet April 5 Ord April 5
OTLEY, FREDERICK, Wrexham, Licensed Victualler Wrexham Pet March 30 Ord March 30
QUAYLE, CHARLES FREDERICK, Liverpool, Commission Agent Liverpool Pet April 5 Ord April 5
TICH, ALFRED, Tunbridge Wells, Tailor Tunbridge Wells Pet April 5 Ord April 5
FLEMINGSMITH, EDWIN, Wilsby, or Selby, Potato Dealer York Pet April 4 Ord April 4
SMITH, JOHN JAMES, Shepshed's Bush rd, Builder High Court Pet Feb 23 Ord March 30
SPERSHOT, WALTER, Liphook, Hants, Miller Portsmouth Pet March 16 Ord April 5
STEGENON, WILLIAM HENRY, and JOHN LEWIS, South Lambeth, Jobmasters High Court Pet March 3 Ord March 30
SUTCLIFFE, ALFRED, South Shore, Blackpool, Ironmonger Preston Pet April 5 Ord April 5
WALTON, ALFRED WILLIAM, Queniborough, Leicester, Grazier Leicester Pet April 5 Ord April 5
WAREH, HENRY, Bramshot, Hants, Paper Manufacturer Portsmouth Pet March 11 Ord April 5
Amended notice substituted for that published in the London Gazette of March 31:

BAKER, HERBERT BLOOMFIELD, Fenchurch st, Tea Broker High Court Pet Feb 28 Ord March 29

London Gazette.—TUESDAY, April 11.

RECEIVING ORDERS.

BARKER, JOHN, Blackburn, Fish Dealer Blackburn Pet April 5 Ord April 6
BARKER, WILLIAM Hulme, Manchester, Butcher Manchester Pet March 21 Ord April 7
BASON, THOMAS, Wolverhampton, Grocer Wolverhampton Pet April 7 Ord April 8
BROOKS, SAMUEL AUGUSTUS, sen, Clerkenwell Chronometer Maker April 21 at 11 Bankruptcy bldgs, Carey st
BROSAN, TIMOTHY, Gt Queen st, Fruiterer Salesman April 20 at 12 Bankruptcy bldgs, Carey st
BROWN, SAMUEL THOMAS, Birmingham, Tailor April 19 at 11 174, Corporation st, Birmingham
BURDITT, JOSEPH, Easenhall, Warwick April 18 at 12 Off Rec, 17, Hertford st, Coventry
CRAIG, JAMES, Chapelton, Yorks, Draper April 19 at 12 Off Rec, Regent st, Barnsley
CRANE, JAMES, Nottingham April 19 at 12 Off Rec, 4, Castle place, Bark st, Nottingham
COOK, BRUNEL HABOLD, Subtin, Surrey, Biscuitmaker's Manager April 18 at 11.30 24, Railway app, London bridge
CROSS, JAMES, Birmingham, Commission Agent April 21 at 11 174, Corporation st, Birmingham
DAVIES, HARRY CHRISTMAS, Merthyr Tydfil, Butcher April 18 at 12 135, High st, Merthyr Tydfil
EVANS, GEORGE, Brixton, Licensed Victualler April 20 at 11 Bankruptcy bldgs, Carey st
FISHER, WALTER ANDREW, Clevedon, Somerset, Grocer April 19 at 12 Off Rec, Baldwin st, Bristol
FREEMAN, HENRY J, Maida Vale, Builder April 20 at 2.30 Bankruptcy bldgs, Carey st
FREEZER, JAMES HENRY, Shipton, Norfolk, Horse Dealer April 5 Ord April 6
GARDNER, JANE ELIZA VICTORIA, Bracknell, Berks Windsor Pet April 7 Ord April 7
GENT, ARTHUR MOTTRAM, Earleheaton, nr Dewsbury, Hennit Ring Manufacturer Dewsbury Pet April 8 Ord April 8
GRAVES, THE EIGHT HON CLARENCE EDWARD, Baron, Gifford High Court Pet March 8 Ord April 7
HICKMAN, JOHN, Buxbury, Stafford, Grocer Wolverhampton Pet April 5 Ord April 5
HOOPER, JOHN, Crediton, Devon, Shoemaker Exeter Pet April 5 Ord April 5
DAWSON, MARY, Bradford, Tea Dealer's Manager Bradford Pet April 7 Ord April 7
DODD, THOMAS HENRY, Barnsley, Draper's Assistant Barnsley Pet April 8 Ord April 8
DOUGHTY, HENRY, Headingley, Leeds, Farmer Leeds Pet April 7 Ord April 7
FREEZER, JAMES HENRY, Shipton, Norfolk, Horse Dealer Norwich Pet April 5 Ord April 6
GARDNER, JANE ELIZA VICTORIA, Bracknell, Berks Windsor Pet April 7 Ord April 7
GENT, ARTHUR MOTTRAM, Earleheaton, nr Dewsbury, Hennit Ring Manufacturer Dewsbury Pet April 8 Ord April 8
HAWKINS, SAMUEL ARTHUR, Cheltenham, Engineer's Turner Cheltenham Pet April 7 Ord April 7
HUGHES, WILLIAM LEWIS, Barrow in Furness, Greengrocer Barrow in Furness Pet April 8 Ord April 8
KENNEDY, ROBERT, Old st, St Luke's, Victualler High Court Pet Feb 15 Ord April 7
LAITMAN, FRANK, Whitstable, Kent, Watchmaker High Court Pet Feb 15 Ord April 8
LUKE, LEMUEL LLOYD, Cardigan, Auctioneer Carmarthen Pet April 5 Ord April 6
MANLEY, JAMES, Bishop Auckland, Builder Durham Pet April 5 Ord April 6
MIDDLETON, WILLIAM GEORGE, Poole, Dorset Poole Pet April 6 Ord April 6
MUTLOW, JOHN, Birmingham, Solicitor Birmingham Pet March 11 Ord April 7
PARNELL, WILLIAM DYER, Newton Abbot, Devon, Tailor Exeter Pet April 7 Ord April 7
PAYNE, JAMES, Hemel Hempstead, Hertford, Builder St Albans Pet April 5 Ord April 5
POWELL, JOHN JOSEPH, Balsall, Ave Decolator High Court Pet Feb 20 Ord April 7
PYNE, WILLIAM, Reading, Watch Maker Reading Pet April 7 Ord April 7
RICHARDSON, WILLIAM, Brieield, Lancs, Draper Bury Pet April 7 Ord April 7
RIDDER, JOSEPH THOMAS, East Ham, Essex, Butcher High Court Pet April 5 Ord April 5
RIGGARD, TIMOTHY VINCENT, Clapham, Engineer High Court Pet April 30, 1897 Ord April 5
ROBINSON, JOHN, Peterborough, General Agent Peterborough Pet April 6 Ord April 6
ROCHE, WILLIAM JAY, Southport, Stock Broker Liverpool Pet Feb 12 Ord April 7
SANDERS, THOMAS GROSVENOR, Victoria st, High Court Pet Dec 10 Ord April 6
SEYMOUR, JOSEPH, Hereford, Commission Agent Hereford Pet April 6 Ord April 6
SICKLER, ALFRED THOMAS, Birmingham, Commercial Traveller Birmingham Pet March 11 Ord April 6
SIMPSON, FRED, Bournemouth, Fruiterer Poole Pet March 21 Ord April 8
WHITE, GEORGE EDWARD, 11, Jeweller High Court Pet April 7 Ord April 7
WILSON, CHARLES SAVIDGE, Slough, Bucks Windsor Pet April 6 Ord April 6
WILTSHIRE, TOM, Leeds, Grocer Leeds Pet April 5 Ord April 5

ROWLANDS, JOSEPH, and LEWIS AUGUSTUS LOFTUS, Drury lane, Fruiter Merchants High Court Pet March 20 Ord April 5

SEYMOUR, JOSEPH, Hereford, Commission Agent Hereford Pet April 6 Ord April 6

SIMPSON, CHARLES, and JOHN CHADWICK MALTBY, Liverpool, Soap Factors Liverpool Pet March 11 Ord April 6

SIMPSON, FRED, Bournemouth, Baker Poole Pet March 24 Ord April 8

WARE, GEORGE, jun, King's Lynn, Norfolk, Corn Merchant King's Lynn Pet March 22 Ord April 8

WHITE, GEORGE, Kilburn, Jeweller High Court Pet April 7 Ord April 7

WHITING, HERBERT K, High Court Pet March 15 Ord April 6

WILSON, CHARLES SAVIDGE, Slough Windsor Pet April 6 Ord April 6

WILTHORN, TOM, Leeds, Grocer Leeds Pet April 5 Ord April 5

WIX, FREDERICK, Billiter st, High Court Pet March 13 Ord April 6

Amended notice substituted for that published in the London Gazette of March 28:

O'CALLAGHAN, RICHARD, Wokingham, Berks, Fruiterer Reading Pet March 23 Ord March 23

FIRST MEETINGS.

AWORTH, CHARLES, Croydon April 20 at 12.30 24, Railway app, London bridge

BEALL, EDWARD, Cophall av, Solicitor April 21 at 12 Bankruptcy bldgs, Carey st

BROOKS, SAMUEL AUGUSTUS, sen, Clerkenwell Chronometer Maker April 21 at 11 Bankruptcy bldgs, Carey st

BROSAN, TIMOTHY, Gt Queen st, Fruiterer Salesman April 20 at 12 Bankruptcy bldgs, Carey st

BROWN, SAMUEL THOMAS, Birmingham, Tailor April 19 at 11 174, Corporation st, Birmingham

DAVIES, HARRY CHRISTMAS, Merthyr Tydfil, Butcher April 18 at 12 135, High st, Merthyr Tydfil

EVANS, GEORGE, Brixton, Licensed Victualler April 20 at 11 Bankruptcy bldgs, Carey st

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